



CITY AND BOROUGH OF SITKA

ASSEMBLY CHAMBERS
1332 Seward Ave.
Room 229
Sitka, AK
(907)747-1811

Meeting Agenda

City and Borough Assembly

*Mayor Mim McConnell
Deputy Mayor Matt Hunter
Vice-Deputy Mayor Benjamin Miyasato
Aaron Swanson, Steven Eisenbeisz
Tristan Guevin, and Bob Potrzuski*

*Municipal Administrator: Mark Gorman
Acting Municipal Attorney: Brian Hanson*

Tuesday, August 23, 2016

6:00 PM

Assembly Chambers

REGULAR MEETING

I. CALL TO ORDER

II. FLAG SALUTE

III. ROLL CALL

IV. CORRESPONDENCE/AGENDA CHANGES

[16-156](#) Reminders, Calendars and General Correspondence

Attachments: [Reminders and Calendars.pdf](#)
[Harrigan Hall Policy Final Draft.pdf](#)
[Public Works Update.pdf](#)

V. CEREMONIAL MATTERS

[16-148](#) Service Award - Lauren Hughey, Health Needs and Human Services Commission

Attachments: [Hughey Service Award rotated.pdf](#)

VI. SPECIAL REPORTS: Government to Government, Municipal Boards/Commissions/Committees, Sitka Community Hospital, Municipal Departments, School District, Students and Guests (time limits apply)

VII. PERSONS TO BE HEARD

Public participation on any item off the agenda. All public testimony is not to exceed 3 minutes for any individual, unless the mayor imposes other time constraints at the beginning of the agenda item.

VIII. REPORTS**a. Mayor, b. Administrator, c. Attorney, d. Liaison Representatives, e. Clerk, f. Other****IX. CONSENT AGENDA**

All matters under Item IX Consent Agenda are considered to be routine and will be enacted by one motion. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

- A** [16-149](#) Approve the minutes of the August 9 Assembly meetings

Attachments: [Consent and Minutes.pdf](#)

- B** [RES 16-14](#) Authorizing a Municipal Matching Grant application to the Alaska Department of Environmental Conservation for South Lake Street and West DeGroff water and sewer improvements

Attachments: [Res 2016-14.pdf](#)

X. BOARD, COMMISSION, COMMITTEE APPOINTMENTS

- C** [16-150](#) Appoint Barbara Kendall to an unexpired term on the Health Needs and Human Services Commission

Attachments: [Kendall Application.pdf](#)

XI. UNFINISHED BUSINESS:

- D** [ORD 16-28](#) Amending Sitka General Code Title 22 "Zoning" by amending Section 22.30.150 "Administrative Approvals Without Notice"

Attachments: [Motion Ord 2016-28.pdf](#)
[Ord 2016-28.pdf](#)

- E** [ORD 16-29](#) Amending the official Sitka Zoning Map to assign OS (Open Space) Zoning to ASLS 2015-06, a previously unzoned parcel

Attachments: [Motion Ord 2016-29.pdf](#)
[Ord 2016-29..pdf](#)

XII. NEW BUSINESS:

- F** [16-153](#) Approve a standard marijuana cultivation facility license for Jeremy J. Erickson dba Vern's Wicked Weed at 3872 Halibut Point Road Bay One

Attachments: [Marijuana Erickson.pdf](#)

- G** [16-154](#) Approve a retail marijuana store license for Anna M. Cleaver dba Weed Dudes at 1321 Sawmill Creek Road Suite J
Attachments: [Marijuana Cleaver.pdf](#)
- H** [ORD 16-27S](#) Adjusting the FY17 Budget (Float Plane Dock Funding - substitute ordinance first reading)
Attachments: [Motion Ord 2016-27S.pdf](#)
[Ord 2016-27S.pdf](#)
- I** [16-155](#) Discussion of FY18 General Fund budget revenue considerations including agenda items ORD 16-30 and ORD 16-31
Attachments: [FY18 General Fund budget considerations.pdf](#)
- J** [ORD 16-30](#) Amending Sitka General Code Chapter 4.09 "Sales Tax" Section 4.09.100 "Exemptions" by including an exemption for sales tax on groceries and amending Section 4.09.420 "Definitions" by adding a definition for groceries (first reading)
Attachments: [Motion Ord 2016-30.pdf](#)
[Ord 2016-30.pdf](#)
- K** [ORD 16-31](#) Amending Sitka General Code Chapter 4.12 "Property Tax" by adding a new Section 4.12.430 titled "Mill rate proceeds transfer to electric rate stabilization fund" (first reading)
Attachments: [Motion Ord 2016-31.pdf](#)
[Ord 2016-31.pdf](#)

XIII. PERSONS TO BE HEARD:

Public participation on any item on or off the agenda. Not to exceed 3 minutes for any individual.

XIV. EXECUTIVE SESSION

XV. ADJOURNMENT

*Sara Peterson, CMC
Municipal Clerk
Publish: August 19*



CITY AND BOROUGH OF SITKA

Legislation Details

File #: 16-156 **Version:** 1 **Name:**
Type: Item **Status:** AGENDA READY
File created: 8/18/2016 **In control:** City and Borough Assembly
On agenda: 8/23/2016 **Final action:**
Title: Reminders, Calendars and General Correspondence
Sponsors:
Indexes:
Code sections:
Attachments: [Reminders and Calendars.pdf](#)
[Harrigan Hall Policy Final Draft.pdf](#)
[Public Works Update.pdf](#)

Date	Ver.	Action By	Action	Result
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REMINDERS

<u>DATE</u>	<u>EVENT</u>	<u>TIME</u>
Saturday, August 20	Special Meeting Attorney Candidate Interviews Sealing Cove Business Center	10:00 AM
Tuesday, August 23	Regular Meeting	6:00 PM
Tuesday, September 13	Regular Meeting	6:00 PM



Municipal Election Reminders

Monday, September 19	First day of advanced absentee voting
Tuesday, October 4	Municipal Election

Expiring Terms:

Assembly
Mayor Mim McConnell
Ben Miyasato
Aaron Swanson

School Board
Jennifer McNichol

Assembly Calendar

[2015](#) [Jan](#) [Feb](#) [Mar](#) [Apr](#) [May](#) [Jun](#) [Jul](#) [Aug](#) [Sep](#) [Oct](#) [Nov](#) [Dec](#) [2017](#)

August 2016

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
31 <u>Jul</u>	1 <u>Aug</u>	2	3	4	5	6
McConnell	McConnell Eisenbeisz	McConnell Eisenbeisz 6:00pm Special Meeting at UAS: Ballot Prop 7:00pm Planning	McConnell Eisenbeisz 7:00pm Library Board	McConnell Eisenbeisz 12:00pm - 1:30pm SEDA Board Meeting	McConnell Eisenbeisz 5pm Candidate filing period closes	McConnell Eisenbeisz
7	8	9	10	11	12	13
McConnell Eisenbeisz	McConnell	McConnell 5:00pm Special Meeting - Attorney candidate selection 6:00pm Regular Assembly Mtg	McConnell 12:00pm Health Needs & Human Services Commission 6:00pm Historic Preservation	McConnell 12:00pm LEPC 12:00pm Parks & Rec	McConnell	McConnell
14	15	16	17	18	19	20
McConnell	McConnell	McConnell PRIMARY ELECTION 12:00pm Tree/Landscape 7:00pm Planning	McConnell	McConnell	McConnell	10:00am - 5:00pm Special Meeting: Attorney interviews at Sealing Cove Business Center
21	22	23	24	25	26	27
		6:00pm Regular Assembly Mtg	6:00pm Police and Fire Commission - Fire Hall			Eisenbeisz
28	29	30	31	1 <u>Sep</u>	2	3
Eisenbeisz	Eisenbeisz	Eisenbeisz	Eisenbeisz	Eisenbeisz 12:00pm - 1:30pm SEDA Board Meeting	Eisenbeisz	

Assembly Calendar

[2015](#)
[Jan](#)
[Feb](#)
[Mar](#)
[Apr](#)
[May](#)
[Jun](#)
[Jul](#)
[Aug](#)
[Sep](#)
[Oct](#)
[Nov](#)
[Dec](#)
[2017](#)

September 2016

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
28 Aug	29	30	31	1 Sep	2	3
Eisenbeisz	Eisenbeisz	Eisenbeisz	Eisenbeisz	Eisenbeisz 12:00pm - 1:30pm SEDA Board Meeting	Eisenbeisz	
4	5	6	7	8	9	10
	LABOR DAY	7:00pm Planning	7:00pm Library Board	12:00pm LEPC 12:00pm Parks & Rec		
11	12	13	14	15	16	17
	Potrzuski	Potrzuski 6:00pm <u>Regular Assembly Mtg</u>	Potrzuski 6:00pm Port & Harbors 6:00pm Historic Preservation	Potrzuski	Potrzuski	Potrzuski
18	19	20	21	22	23	24
Potrzuski	Potrzuski	Potrzuski McConnell 12:00pm <u>Tree/Landscape</u> 7:00pm <u>Planning</u>	Potrzuski McConnell 12:00pm Health Needs & Human Services Commission	Potrzuski McConnell	Potrzuski	Potrzuski
25	26	27	28	29	30	1 Oct
Potrzuski	Potrzuski	Potrzuski 6:00pm <u>Regular Assembly Mtg</u>	Potrzuski 6:00pm Police and Fire Commission - Fire Hall	Potrzuski	Potrzuski	Potrzuski

POLICY

HARRIGAN
CENTRAL
HALL



May also be viewed online at: <http://cityofsitka.com/dept/cent/index.html>

CITY AND BOROUGH OF SITKA

HARRIGAN CENTENNIAL HALL POLICIES

General Rules Which Apply To All Use Of The Harrigan Centennial Hall

The Harrigan Centennial Hall (HCH) is a City and Borough of Sitka (CBS) owned facility for the benefit of the community.

1. Use of the HCH is on a reservation basis with exceptions subject to appeal through the Building Manager. The Building Manager determines appropriate utilization of the HCH, reserves the right to make suggestions and to place the group in the appropriate room.
2. Users of the HCH shall be responsible for any damage that may occur during their use and shall either pay for the damage or repair it to the satisfaction of the Building Manager. To avoid any damage or defacement all users must check with the building staff prior to affixing anything to the walls, floor or ceiling.
3. Alcoholic beverages may be served and consumed in the HCH for limited specific hours. A special alcohol fee will be assessed. Each specific period of time shall be approved by the Building Manager prior to the event. All alcoholic beverages shall be served in accordance with the regulations of the Alaska Alcoholic Beverage Control Board and CBS.
4. The HCH is a non-smoking building.
5. The CBS will not be responsible for any personal equipment being used or stored in the HCH by any user. All equipment storage must be approved with the Building Manager.
6. The HCH will not be open to the public without a paid HCH staff member or person designated by the Building Manager.
7. The Building Manager may make additional rules to cover special uses.

<http://cityofsitka.com/dept/cent/index.html>

HARRIGAN CENTENNIAL HALL RATES, HOURS, AND DEPOSITS

RESERVATIONS AND DEPOSITS

1. All reservations for use of the HCH are booked through the building staff.
2. Each use of the building requires a separate reservation. If a user makes a reservation and fails to show, a regular fee plus a building overhead fee will be charged. A reservation deposit will be required after a user has failed to show for a previous event.
3. Events scheduled more than six months in advance may be pre-empted for convention priority and cancellations are done by the Building Manager.
4. All damage deposits shall be paid prior to use of the HCH.
5. Users are required to keep the Building Staff informed as to detailed plans or changes of plans, and are to check with the Building Staff not less than two days before a scheduled event to make arrangements for seating and equipment that may be needed.
6. Traditional uses that are related to certain dates or seasons each year may have ongoing priority use of the facility. Reservations are limited to thirteen (13) months in advance with exception of priority users and conventions.

CANCELLATIONS

A refund of fees paid will be made if notice of cancellation of a reservation is given twenty-four (24) hours in advance, and such cancellation did not result in a revenue producing activity being denied use of the HCH. The CBS Assembly reserves the right to refuse use of the HCH to anyone at anytime. Reasonable efforts will be made to honor reservations. If the Building Manager cancels a reservation, all deposits or fees paid shall be refunded.

BUILDING DAMAGE DEPOSIT

For use of the auditorium by any group, a refundable damage deposit of \$200 shall be made to the Building Manager or designee. This deposit does not include the kitchen use deposit.

KITCHEN DEPOSIT

If food is prepared in the kitchen, a refundable \$200 clean-up/damage deposit will be required. The kitchen must be cleaned in accordance with the Alaska Department of Environmental Conservation regulations. The kitchen will be inspected after the event. If the kitchen is not cleaned in accordance with these rules, the Building Manager will notify the user immediately and give them the option of returning to complete the clean up, or forfeit sufficient funds from the deposit to accomplish the work to the satisfaction of the Building Manager. If any equipment from the kitchen is missing or damaged, the user will be charged for the replacement value of the item and the amount will be deducted from the deposit. If the deposit is not adequate the user will be billed for the balance.

BUILDING HOURS

Non-Profit – Community Use Hours

8 A.M. to 10 P.M., Monday through Friday.

Saturday hours, May 1 through October 1, 8 A.M. to 5 P.M.

Saturday hours, October 2 through April 30, 10 A.M. to 4 P.M.

In addition, the building is normally open while cruise ships are in town. A General use rate will be charged for use outside these hours.

General Use Hours

Every day 8 A.M. to Midnight

Use outside these hours shall be subject to an additional fee of \$50 per hour to cover building overhead.

The building is normally closed on Holidays, except for reserved paid rental use. In this case, a \$75 per hour fee shall be charged in addition to the regular fee with the minimum charge of two hours to pay for building overhead.

Rehearsals

There is a charge of \$50.00 for rehearsals or set ups as long as they are within the non-profit hours, but a revenue producing activity takes precedence over a non-revenue activity. If a general use fee paying event requests use of the auditorium during a rehearsal, the rehearsal will be given the option of paying the General Use Rate or giving the room up.

BUILDING RATES

DEFINITIONS

Non-Profit - Community Use -- Any non-profit organization or individual that makes a reservation for a room. No admission fees or revenues are to be collected, and nothing is to be sold under this category. No money changes hands.

General Use - Any user who makes a reservation for a room and fees are collected, items are sold, or money changes hands. Weddings, receptions, parties, plays, and dances fall into the General Use category as long as the event is not considered commercial. State and Federal Government agencies fall into this category.

Commercial – If profits, or admission charges, revert to the sponsor of an event, other than a non-profit organization, the use shall be classified as commercial.

Use Fee Exemption - The HCH Manager will consider requests for waiver of room use fees if the non-profit or requesting entity has an annual operating budget of \$50,000 or less and the use is within regular scheduled hours.

CITY AND BOROUGH OF SITKA

HARRIGAN CENTENNIAL HALL

330 Harbor Drive • Sitka, Alaska 99835
(907) 747-3225 • Fax (907) 747-8495

HARRIGAN CENTENNIAL HALL CAPACITIES

Room	Theater	Classroom	Rounds Of 10	Reception	Length (ft.)	Width (ft.)	Square Feet	Ceiling Height
Auditorium							4127	
Meeting 1							1682	
Meeting 2							928	
Meeting 3							1042	
Meeting 4							266	
Meeting 5							898	
Meeting 6							1757	
Meeting 7							593	

HARRIGAN CENTENNIAL HALL ROOM RATES

Rates for multi day, multi room events and conferences will be negotiated with the HCH Manager.

HARRIGAN CENTENNIAL HALL ROOM RATES	NON PROFIT	GENERAL USE	COMMERCIAL
AUDITORIUM	\$205	0-2 hours \$250, \$415 daily rate	\$620
Meeting 1	\$85	\$170	\$250
Meeting 2	\$45	\$95	\$140
Meeting 3	\$50	\$105	\$155
Meeting 4	\$25	\$40	\$65
Meeting 5	\$45	\$90	\$135
Meeting 6	\$90	\$175	\$265
Meeting 7	\$40	\$70	\$100
Kitchen	\$200	\$300	\$400
Building Rate	\$685	\$1360	\$2030

Events that serve alcohol

There will be an additional \$75 charge for events that serve alcoholic beverages.

Decorations

If you wish to hang anything, please consult the HCH staff for approved methods. Please advise staff if you will be using candles during your event. Candles must be in containers capable of containing all wax residue and spills. In addition, glitter, confetti, and other similar material can be used. Tenants will be advised to plan on spending extra time to clean up after events at which they are used.

The HCH staff will set up rooms in advance according to an approved floor plan. Any changes, alterations, or additions to agreed-upon layouts after the set-up is complete will result in additional labor charges. A \$25.00 per hour set up fee with a half hour minimum will be charged if a set up is required. No set up fee will be charged for the initial Auditorium arrangement.

Tenant’s Responsibility for Clean Up

Tenants should remove all decorations and tape after their event. Please clear away all trash on tables, floors, and chairs and wipe off all tables after potluck or catered events. Other extraordinary messes must be cleaned by the tenant prior to departure and within the time of the rental reservation in order to avoid additional charges.

Security (Public Dances, etc): HCH Management will determine the type of security your event requires. Some events, upon determination by HCH staff may be required to provide security or an off-duty police officer.

Sales tax will be added to the total cost.

HARRIGAN CENTENNIAL HALL EQUIPMENT RATES

Equipment rates for conferences and conventions will be negotiated.

Audio/video system	\$10.00 per hour per room, or \$60.00 a day per room
Telephone	\$15.00 per day

Prices are subject to change without notice.

Revised: August 2016

PUBLIC WORKS ASSEMBLY UPDATE
WORK COMPLETED JULY 2016

Harrigan Centennial Hall (HCH) Renewal:

Milestones This Period

- Grading and installation of exterior concrete and pavers is nearing completion.
- Installation of casework and wood wainscot and trim is complete.
- Ceiling grid installation is complete.
- Installation of the new light fixtures is nearly complete
- Installation of flooring is nearly complete.
- Installation of theatrical systems in the Auditorium is in progress.
- Installation and programming of mechanical controls is in progress.
- Rough in for AV and network is complete.
- AV equipment and programming is beginning
- Interior and exterior final painting in progress.
- Site clean-up and de-mobe is beginning.
- Building final cleaning is in progress.

Future Milestones

- Commissioning of mechanical systems.
- Bid the Furniture, Fixtures, and Equipment (FF&E) package.
- Substantial completion is contractually required December 20, 2016, but inspections are scheduled the weeks of August 15 and Aug 22, 2016.

Background

The current funding includes four State grants totaling \$11,500,000; a \$1,991,271 FY'10 Legislative Grant designated for a lightering facility visitor's center (previously planned for under the O'Connell Bridge), \$1,180,000 FY'11 CPET Head Tax grant, \$1,400,000 Marine Passenger Funds, \$232,620 heat pump grant, and \$66,000 from the Sitka Historical Society for a total project budget/funds of \$16.4 million.

Airport Terminal Upgrades:

Milestones This Period

- Scheduled TSA Kick-Off meeting. Consultant and Stakeholder Kick-Off meetings are scheduled after the summer season- September/October 2016. Executed \$158,569.25 grant offer from Transportation Security Administration (TSA) to design improvements in the TSA luggage screening area.
- Received Assembly Budget Appropriation Approval for TSA funding.

Future Milestones

- Design improvements to the TSA luggage screening area (with TSA grant) and the airport baggage bay where bags are loaded into the carts for delivery to the airplane. Baggage bay design costs as well as required 5 percent match on TSA improvements will be paid with collected Passenger Facility Charges (PFCs).
- Preliminary Schedule: 30% design due November 30 2016, 100% design and bid ready docs 5/30/2017, bidding June-July 2017. Apply for TSA construction and design CA funding (distributed mid-October 2017). Construction sometime during the period between Jan. 15, 2018 and April 1, 2018.
- TSA intends to fund construction of eligible improvements.

- Implement the resumption of PFD Collection to fund the improvements that are ineligible for TSA funding.

Background

The Assembly-approved Airport Terminal Master Plan called for corrections to three critical deficiencies, including (1) working conditions in the baggage make-up area and (2) working conditions in the TSA baggage screening area. CBS addressed the third deficiency – the lack of hold-area rest rooms –in 2010.

Funding; \$158,569.25 grant from Transportation Security Administration (TSA) to design improvements in the TSA luggage screening area with the remaining design costs paid by funds collected through Passenger Facility Charges (PFC).

Baranof Warm Springs Dock Replacement:

Milestones This Period

- Float fabrication under way.

Future Milestones

- Fabrication Summer 2016.
- Turnagain Marine mobilize to site ~September 15, 2016.
- Project completion October 2016.

Background

The City and Borough of Sitka (CBS) received a \$1,900,000 FY2013 Alaska Legislature Grant to reconstruct the Baranof Warm Springs Dock. The funding was provided with the understanding that CBS would assume ownership and maintenance responsibilities for the dock once it is reconstructed. The Assembly approved the Administrator to execute a Memorandum of Agreement with the Alaska Department of Transportation and Public Facilities (ADOT&PF) for completion of the Baranof Warm Springs Dock Reconstruction and Ownership Transfer. ADOT&PF be reimbursed the cost of designing and constructing the improvements from the FY13 Legislative Grant. The State awarded a contract to Turnagain Marine (TM) in the amount of \$1,457,285 for the Basic Bid and Alternate A which will result in a 200-foot long float. TM has contracted with Bellingham Marine Industries to fabricate the floats and Mantle Industries to design and fabricate the gangway.

Sitka Transient Float Replacement:

Milestones This Period

- Contractor working on plan to address non-conforming pile.

Future Milestones

- Review Contractor-provided engineered plan to address non-conforming pile.
- Implement engineered solution and close out project.

Background

CBS received a FY15 State of Alaska Municipal Harbor Facility Matching Grant, for the Sitka Transient Float Replacement Project, which will cover 50% of eligible construction costs not to exceed 2,700,000 in match funding. CBS has allocated a total of \$3,450,000 from the Harbor Enterprise Fund, ~\$198,000 from unspent ANB Harbor bond proceeds, and \$500,000 from the CBS Electric Fund for the project for a total budget of \$6,848,000. CBS awarded a contract to Northern Construction Service (NCS) in the amount of \$4,986,329 for the Base Bid and all additive alternates.

Seaplane Base:

Milestones This Period

- Development of economic analysis as part of updates Siting Study.

Future Milestones

- Obtain Corps of Engineers Permit request to allow for float/pile repairs.
- Completion of repairs to existing SPB anticipated September 2016.
- Siting Study Update completion August 2016.

Background

In August 2002, the Sitka Seaplane Base Master Plan was completed and includes a Condition & Needs Assessment and Master Plan Alternatives Report. The plan considered 12 alternative sites for a new seaplane base and found the north end of Japonksi Island, between the Coast Guard Base and the cove behind the SEARHC buildings on Seward Avenue was the best alternative. In February 2009, the Assembly unanimously approved Resolution 2009-35 "Supporting the development of the Sitka Seaplane Base." This approved staff applying for and executing a Federal Aviation Administration (FAA) Airport Improvement Program grant for up to \$500,000 to develop the siting plan, issues resolution, design, environmental, and permitting phases of the project. Utilizing proceeds from that grant, in June 2012, an updated Sitka Seaplane Base Siting Analysis was completed which considered a new site and redevelopment of the existing site in addition to the previously recommended Japonksi site. The Japonksi site was again selected as the preferred site. The findings of this study were presented to the Port and Harbors Commission on April 11, 2012 where they unanimously approved further study of the Japonksi Island site. Due to a decline in the number of based aircraft, FAA requires an update to the Siting Study prior to application for any future grant funds for this project.

Gary Paxton Industrial Park Dock:

Milestones this Period

- Issued 2 addenda for Design/Build (D/B) Request for Proposals (RFP) for GPIIP floating dock.
- Conducted pre-proposal meeting.

Future Milestones

- RFPs due August 18, 2016.
- Contract award September 2016.

Background

The project is funded by a designated Legislative Grant, administered by the State of Alaska, Dept. of Commerce, Community & Economic Development, and Division of Community & Regional Affairs. The total amount of the grant is \$7.5 million. The project is administered by Public Works and the GPIIP Director, Garry White. The firm of Moffatt & Nichol (M&N) was previously awarded a contract to provide the design for the GPIIP Dock when it was envisioned as a fixed pier or bulkhead structure. M&N may assist CBS as technical reviewer during D/B proposal evaluation and construction.

Jeff Davis Street Reconstruction Project:

Milestones This Period

- Hosted second public meeting on July 7, 2016.
- Issued Notice to Proceed to Coastal Excavation on July 21, 2016.

Future Milestones

- Project substantial completion is September 30, 2016.

Background

The project includes replacement of approximately ~50-year old undersized water main with new, large diameter pipe within Jeff Davis Street and replacing the existing storm drainage infrastructure, pavement, curb, gutter and sidewalks. The project will also improve the sewer service to four homes on Jeff Davis Street currently served by a collection main crossing private property. Funding for the project is provided by the following sources; \$644,000 FY2015 ADEC Grant, \$812,000 FY2014 ADEC Water Loan, \$225,000 from 2016 General Fund and \$110,000 from 2017 General Fund (anticipated).

Landfill and Crescent Lift Station Replacement:

Milestones This Period

- Received and reviewed 35% design drawings for Landfill Lift Station rebuild.

Future Milestones

- Landfill design to be complete in October 2016. Construction complete by mid-April 2017.
- Crescent design to be complete by mid-February 2017. Construction complete by mid-July 2017

Background

The project includes replacement the Landfill Lift Station and force main pipe at the end of Tilson Street and the Crescent Lift Station adjacent to the Sitka Sound Science Center. The pumps and components of both lift stations are inefficient, obsolete and, in the case of the Landfill Lift Station, corroded due to the landfill leachate it is pumping to the wastewater treatment plant. There have also been four force main break within the past 2 years. Funding for the project is provided by ADEC loans and from the General Fund.

Eagle Way and Old Harbor Mountain Road Utility and Road Upgrades:

Milestones This Period

- Advertisement for Bids June 28, 2016

Future Milestones

- Bid Opening August 2, 2016
- Construction is anticipated summer 2016 to spring 2017.

Background

The project will include a minimum of 24-foot-wide paved road, storm drainage, water main and services, and possible pedestrian amenities within Eagle Way. The project will also include a minimum of 24-foot wide paved road and storm drain improvements within Old Harbor Mountain Road. Funding for the project consists of a \$1,500,000 2013 Commerce Community and Economic Development Grant.

Nelson Logging Road Upgrades:

Milestones This Period

- 35% Plans received for review
- Cultural investigation complete pending SHIPO review and approval
- Wetlands field investigation complete waiting for report.

Future Milestones.

- Advanced Design (65%) due August 30, 2016.
- Final Design (100%) due October 2016.

- Construction is anticipated in early 2017 to align with Katlian Bay Road (ADOT&PF) project.

Background

The project includes replacing both inadequate bridges and upgrading Nelson Logging Road as funding allows. The scope may also include road realignment(s) and widening to accommodate two-way traffic. Funding for the project is provided by \$2,343,000 2013 Commerce Community and Economic Development Grant.

Ultra Violet (UV) Disinfection Facility:

Milestones This Period

- Warranty inspections completed.
- Both dehumidifiers functioning properly
- SCADA upgrades by Boreal Controls, Inc. and flow controls valves for final system upgrade to address the UV Disinfection Facility and the new higher dam elevation.

Future Milestones

- SCADA upgrades by Boreal Controls to be completed.
- New UV sensors to replace Trojan sensors

Background

The Blue Lake drinking water system is a surface water system, which must comply with the EPA Enhanced Surface Water Treatment Rules (ESWTRs). The UV Disinfection Facility will provide the additional microbial and disinfection controls required under the ESWTRs. The current total project cost estimate is \$8,966,000. Funding for this project is provided by State of Alaska Department of Environmental Conservation (ADEC) loans and grants:

\$4,000,000 FY 2011 ADEC Loan (Includes \$2,500,000 financed with \$1,500,000 subsidized)

\$2,550,000 FY 2012 ADEC Loan

\$3,500,000 FY 2012 ADEC Grant (30% local match requirement).

\$2,061,000 FY 2013 ADEC Grant (30% local match requirement).

\$12,111,000 Total Project Funding

Sitka 2016-17 Paving Project:

Milestones This Period

- Preliminary design and project survey underway

Future Milestones

- Advertisement for bids late 2016/early 2017.
- Construction is anticipated in spring/summer 2017.

Background

The project includes new pavement and ADA required improvements with curb and gutter, storm drain improvements and sidewalk as applicable. Funding for the project is provided by the following sources:

\$ 500,000 CBS Capital Improvement Lincoln Street – Jeff Davis to SNHP FY16

\$1,130,000 CBS Capital Improvement Katlian Avenue FY16

\$ 310,000 CBS Capital Improvement Gavin Street – Brady to Cascade FY15 & FY16

\$1,940,000 Total Project Funding

North Kramer Debris Removal and Repair:

Milestones This Period

- Granite Creek gavel removal completed.
- Debris removal at Kramer began July 2016
- Final inspection scheduled for July 28, 2016

Future Milestones

- Cleanup Debris from log cutting at Gate 0 parking area.

Background

The Assembly passed Ordinance 15-44 on August 21, 2015 which declared a local government disaster declaration as a result of the slides of August 18, 2015, authorized the expenditure of local emergency funds, and requested the Governor declare a Disaster Emergency to exist as described in AS 26.23 and provide State assistance to the CBS. Governor Walker authorized up to \$1,000,000 from State Disaster Relief Funds to assist with the cleanup and recovery. These funds can be utilized to remove the debris from the right-of-way and restore municipal infrastructure to its pre-disaster condition. On October 27, 2015 the Assembly approved a total authorized budget of \$1,500,000 for all costs related to the disaster declaration and authorized the Administrator to award all bids and execute all.

Federal Land Access Program (FLAP) Grant: Phase 6:

Milestones This Period

- Memorandum of agreement between The City and Borough of Sitka and Western Federal Lands was executed February 26, 2016.
- A RFP was issued and engineering firm hired for Phase I Design Concept of the trail from Harbor Mountain Road to Starrigavan including connectors to the Old Sitka cruise ship dock.
- Work completed thus far includes: location of two preliminary trail routes from Harbor Mountain to Starrigavan; location of two bridge crossings; hydraulic sizing of bridges and major culverts along both routes; construction cost estimate for both alignments.

Future Milestones

- Sitka Trail Works will coordinate a public meeting this fall to define primary alignment.
- Sitka Trail Works will arrange for biological and cultural reports for NEPA environmental permitting to be completed in partnership with the Forest Service this fall and winter.
- Sitka Trail Works will apply for Corps permit on behalf of the City after US FS wetlands delineation. The Corps permit will be in place by 2018.
- The completion date is estimated spring 2018 for all permitting. The project will be construction ready at that time.
- FLAP 6 Cross Trail construction grant applied for May 15, 2016 and award decision anticipated by September 1, 2016. If awarded, funds will be available fiscal year 2019.

Background

The City and Borough of Sitka has been awarded a \$250,000 MAP-21 Federal Lands Access Program (FLAP) Grant for planning, design and permitting of Phase 6 Cross Trail multimodal pathway (Cross TMP), connector from Kramer Drive to Alaska Marine Ferry Terminal, by Western Federal Lands (WFL). The Assembly approved submission of the grant in Resolution 2014-06 in April 2014. The Western Federal Lands Access Program application was submitted in April 2014, and then awarded on July 26, 2014. This is listed as a FY16 budgeted project with Western Federal Lands Access Program.

Water

Water staff responded to 7 water leak calls, three of which were on the city side. The city side leaks have been repaired with the help of the public works streets crew.

A number of water locates were performed including a handful for the upcoming Jeff Davis road and utility project.

A backflow preventer and water meter was installed at the Eliason Harbor as part of the transient float project. The backflow preventer prevents the possibility of salt water from entering our water distribution system.

A leaking hydrant was repaired on Degroff St.

We are still working through issues with our UVT analyzers at the new UV disinfection facility. This has been an on-going issue that we have been working with the manufacturer on. We hope to have resolution soon.

A leak on the soda ash pump was repaired. Soda ash is added to the water to increase the pH and help reduce the leaching of lead and copper from pipes.

Wastewater

Sewer locates were performed at various locations around town.

The Camel was used to remove blockages at three separate lift stations.

The maintenance shop floor was cleaned and two coats of epoxy paint was applied.

Smoke testing was done on Lincoln St. to determine if there were any illegal connections to the sanitary sewer system. No illegal connections were discovered.

Wastewater staff assisted the building maintenance department in moving free furniture from the former forest service building. We acquired a number of items such as file cabinets, chairs, keyboards, etc.

The 20 inch sewer main on Katlian is in the process of being looked at with our CCTV equipment ahead of the upcoming paving project next year.



CITY AND BOROUGH OF SITKA

Legislation Details

File #: 16-148 Version: 1 Name:
Type: Item Status: AGENDA READY
File created: 8/16/2016 In control: City and Borough Assembly
On agenda: 8/23/2016 Final action:
Title: Service Award - Lauren Hughey, Health Needs and Human Services Commission
Sponsors:
Indexes:
Code sections:
Attachments: [Hughey Service Award rotated.pdf](#)

Date	Ver.	Action By	Action	Result
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Service Award

On behalf of the City and Borough of Sitka is hereby awarded to

Lauren Hughey

*this expression of grateful acknowledgment for your 1 year and 3 months of
valued service rendered in the public interest while serving on the
Health Needs and Human Services Commission. Thank you!*

Signed and sealed this 23rd day of August 2016

Mim McConnell, Mayor

ATTEST: Sara Peterson, Municipal Clerk





CITY AND BOROUGH OF SITKA

Legislation Details

File #: 16-149 Version: 1 Name:
Type: Item Status: AGENDA READY
File created: 8/16/2016 In control: City and Borough Assembly
On agenda: 8/23/2016 Final action:
Title: Approve the minutes of the August 9 Assembly meetings
Sponsors:
Indexes:
Code sections:
Attachments: [Consent and Minutes.pdf](#)

Date	Ver.	Action By	Action	Result
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CONSENT AGENDA

POSSIBLE MOTION

**I MOVE TO APPROVE THE CONSENT AGENDA
CONSISTING OF ITEMS A & B**

I wish to remove Item(s) _____

**REMINDER – Read aloud a portion of each item being
voted on that is included in the consent vote.**

Should this item be pulled from the Consent Agenda the following motion is suggested:

POSSIBLE MOTION

I MOVE TO approve the minutes of the August 9th special and regular Assembly meetings.



CITY AND BOROUGH OF SITKA

ASSEMBLY CHAMBERS
1332 Seward Ave.
Room 229
Sitka, AK
(907)747-1811

Minutes - Draft

City and Borough Assembly

*Mayor Mim McConnell
Deputy Mayor Matt Hunter
Vice-Deputy Mayor Benjamin Miyasato
Aaron Swanson, Steven Eisenbeisz
Tristan Guevin, and Bob Potrzuski*

*Municipal Administrator: Mark Gorman
Acting Municipal Attorney: Brian Hanson*

Tuesday, August 9, 2016

5:00 PM

Assembly Chambers

SPECIAL MEETING

I. CALL TO ORDER

II. FLAG SALUTE

III. ROLL CALL

Present: 6 - Hunter, Swanson, Miyasato, Eisenbeisz, Guevin, and Potrzuski

Absent: 1 - McConnell

IV. PERSONS TO BE HEARD

None.

V. NEW BUSINESS:

A 16-146

Discussion/Direction to 1) select a Municipal Attorney applicant(s) for in-person and/or videoconferencing interviews with the Assembly, and, 2) schedule interview date(s), time(s) & location(s)

Mark Danielson, Human Resources Director, provided an overview of the process. Assembly members named those individuals who they were interested in interviewing and agreed to interview the top five vote getters on August 20th via Skype. Individuals to be interviewed:

Cary Gagnon
Brian Hanson
Eugene Hickey
Rachel Jones (Williams Kastner & Gibbs PLLC)
Kevin Carlisle

Assembly Discussion

Assembly members expressed reservation in contracting with a law firm (William

Kastner & Gibbs PLLC). Members preferred to have Jones apply separately and be interviewed. In addition, members conveyed they would like to find out more information from candidate Brian Hanson with respect to his part-time proposal.

VI. PERSONS TO BE HEARD:

None.

VII. EXECUTIVE SESSION

None.

VIII. ADJOURNMENT

A motion was made by Miyasato to ADJOURN. Hearing no objections, the meeting ADJOURNED at 5:38 pm.

ATTEST:

**Sara Peterson, CMC
Municipal Clerk**



CITY AND BOROUGH OF SITKA

ASSEMBLY CHAMBERS
1332 Seward Ave.
Room 229
Sitka, AK
(907)747-1811

Minutes - Draft

City and Borough Assembly

*Mayor Mim McConnell
Deputy Mayor Matt Hunter
Vice-Deputy Mayor Benjamin Miyasato
Aaron Swanson, Steven Eisenbeisz
Tristan Guevin, and Bob Potrzuski*

*Municipal Administrator: Mark Gorman
Acting Municipal Attorney: Brian Hanson*

Tuesday, August 9, 2016

6:00 PM

Assembly Chambers

REGULAR MEETING

I. CALL TO ORDER

II. FLAG SALUTE

III. ROLL CALL

Present: 6 - Hunter, Swanson, Miyasato, Eisenbeisz, Guevin, and Potrzuski

Absent: 1 - McConnell

IV. CORRESPONDENCE/AGENDA CHANGES

No agenda changes.

16-145 Reminders, Calendars and General Correspondence

V. CEREMONIAL MATTERS

16-142 Service Awards - Chris Gale and Ptarmica McConnell

Hunter read the service award for Chris Gale in recognition of his service as a Tree and Landscape Committee member and Ptarmica McConnell for her service on the Gary Paxton Industrial Park Board of Directors.

VI. **SPECIAL REPORTS: Government to Government, Municipal Boards/Commissions/Committees, Sitka Community Hospital, Municipal Departments, School District, Students and Guests (time limits apply)**

Utility Director, Bryan Bertacchi, informed the Assembly the Department had disassembled the three Blue Lake turbines prior to the end of the warranty period and found unexpected levels of cavitation, erosion and corrosion. Bertacchi reported the Department was working with the manufacturer to resolve the problem.

VII. PERSONS TO BE HEARD

Dave Longtin, Senior Engineer, announced Jeff Davis Street would be closed to through traffic starting August 10th for infrastructure and road replacement work. Longtin noted the project was expected to be complete by the end of September. The Sheldon Jackson Child Care Center and Hames Center would still be accessible during this time.

VIII. REPORTS

a. Mayor, b. Administrator, c. Attorney, d. Liaison Representatives, e. Clerk, f. Other

Administrator - Gorman announced the City had received a grant for the Sea Walk extension, reminded the public of the August 18 landslide commemoration events, and stated the grand opening of Harrigan Centennial Hall (HCH) was tentatively planned for October 11 at 5pm. Gorman added a new fee schedule would be implemented for HCH.

Liaisons - Potrzuski met with the Sitka School District (SSD) Superintendent and informed the SSD had received a couple of grants for art education, Miyasato announced there were two openings on the Library Commission and stated the Commission was unhappy with the Sunday Library closure.

Clerk - Peterson reviewed the list of candidates for Mayor, Assembly and School Board as well as the precinct locations for the October 4 Municipal Election.

IX. CONSENT AGENDA

A motion was made by Swanson that the Consent Agenda consisting of items A & B be APPROVED. The motion PASSED by the following vote.

Yes: 6 - Hunter, Swanson, Miyasato, Eisenbeisz, Guevin, and Potrzuski

Absent: 1 - McConnell

A 16-141 Approve the minutes of the July 26 and August 2 Assembly meetings

This item was APPROVED ON THE CONSENT AGENDA.

B 16-147 Approve a Restaurant Designation Permit application for Trinity Business Services, LLC dba Halibut Point Crab & Brew at 4513 Halibut Point Road

This item was APPROVED ON THE CONSENT AGENDA.

X. BOARD, COMMISSION, COMMITTEE APPOINTMENTS

None.

XI. UNFINISHED BUSINESS:

- C ORD 16-25** Amending Title 15 of the Sitka General Code to increase rates at Chapter 15.04 "Sewer System" Sections 15.04.100 entitled "Service Connection Charge", 15.04.320 entitled "Rates and Fees", Chapter 15.05 "Water System" Sections 15.05.240A entitled "Service Connection Charge", 15.05.620 entitled "Rates and Fees"

Marjorie Parmelee, member of the Concerned Citizens Group, voiced opposition to increased rates.

A motion was made by Miyasato that this Ordinance be APPROVED on SECOND AND FINAL READING. The motion PASSED by the following vote.

Yes: 6 - Hunter, Swanson, Miyasato, Eisenbeisz, Guevin, and Potrzuski

Absent: 1 - McConnell

- D ORD 16-26** Amending the Home Rule Charter of the City and Borough of Sitka for purposes of increasing the property tax limit to eight-tenths (0.008) of one percent; and submitting the question of such an amendment to the qualified voters at a regular election on October 4, 2016 (ballot proposition)

Larry Crews spoke in opposition to the ballot proposition and noted the intended use for the revenue generated from 2 mills should be stated in the ballot proposition.

Assembly members stated there was a lack of understanding in the community regarding the ballot proposition. Guevin encouraged the public to visit the Citizens' Taskforce webpage for helpful resources pertaining to the budget and city services. Eisenbeisz stated it was important for the Assembly to identify the intended use of revenue generated from 2 mills. Administrator Gorman reminded two ordinances were planned to come forward at the August 23 Assembly meeting for the Assembly to choose from based on previous discussions: one to remove sales tax on groceries and the other to subsidize the Electric Fund.

A motion was made by Miyasato that this Ordinance be APPROVED on SECOND AND FINAL READING. The motion PASSED by the following vote.

Yes: 6 - Hunter, Swanson, Miyasato, Eisenbeisz, Guevin, and Potrzuski

Absent: 1 - McConnell

XII. NEW BUSINESS:

- E 16-139** Approve the 2016-2019 International Brotherhood of Electrical Workers (IBEW), Local 1547 Collective Bargaining Agreement

Hunter thanked the employees for their service.

A motion was made by Swanson that this Item be APPROVED. The motion PASSED by the following vote.

Yes: 6 - Hunter, Swanson, Miyasato, Eisenbeisz, Guevin, and Potrzuski

Absent: 1 - McConnell

- F 16-140** Approve a final plat for a major subdivision filed by Global Positioning Services, Inc. for Alaska State Land Survey No. 2015-06. The property, owned by the State of Alaska Department of Natural Resources, is located on Lisianski Peninsula and Nakwasina Sound.

Hunter described the location of the subdivision and spoke to the opportunities created for private use.

A motion was made by Potrzuski that this Item be APPROVED. The motion PASSED by the following vote.

Yes: 6 - Hunter, Swanson, Miyasato, Eisenbeisz, Guevin, and Potrzuski

Absent: 1 - McConnell

- G ORD 16-29** Amending the official Sitka Zoning Map to assign OS (Open Space) Zoning to ASLS 2015-06, a previously unzoned parcel (*first reading*)

Senior Planner, Michael Scarcelli, explained Open Space (OS) zoning would allow property owners to build recreational housing, while still preserving rural character. Scarcelli stated the OS zoning district served as a holding zone for large island or tracts for which specific plans had not been established and provided a level of protection as compared to the Recreation District which had more commercial and higher density uses.

A motion was made by Swanson that this Ordinance be APPROVED on FIRST READING. The motion PASSED by the following vote.

Yes: 6 - Hunter, Swanson, Miyasato, Eisenbeisz, Guevin, and Potrzuski

Absent: 1 - McConnell

- H ORD 16-28** Amending Sitka General Code Title 22 "Zoning" by amending Section 22.30.150 "Administrative Approvals Without Notice" (*first reading*)

Maegan Bosak, Planning and Community Development Director, explained an administrative variance granted up to two feet and was currently permitted in residential zones. The Planning Commission requested the Assembly consider allowing administrative variances in the commercial, waterfront and industrial zones. Bosak noted an administrative variance went through the same staff review process as a regular variance request that would typically go before the Planning Commission. She indicated much of the time administrative variances were granted for roof overhangs, and those variances granted, were reported at Planning Commission meetings. Eisenbeisz expressed concern that public notices were not mailed for administrative variances. Bosak also stated there was an appeal process outlined in Sitka General Code 22.30.170(A)(1).

A motion was made by Miyasato that this Ordinance be APPROVED on FIRST READING. The motion PASSED by the following vote.

Yes: 6 - Hunter, Swanson, Miyasato, Eisenbeisz, Guevin, and Potrzuski

Absent: 1 - McConnell

- I ORD 16-27** Adjusting the FY17 Budget (Float Plane Dock Funding - *first reading*)

Eisenbeisz understood the reasoning behind the transfer however expressed concern with taking money from the Economic Development Fund over time and depleting the Fund. Hunter concurred, yet stated the use of funds was appropriate.

A motion was made by Swanson that this Ordinance be APPROVED on FIRST READING. The motion PASSED by the following vote.

Yes: 4 - Hunter, Miyasato, Guevin, and Potrzuski

No: 2 - Swanson, and Eisenbeisz

Absent: 1 - McConnell

XIII. PERSONS TO BE HEARD:

None.

XIV. EXECUTIVE SESSION

J 16-144 Legal/Financial matters - Baranof Island Brewing Company loans

A motion was made by Potrzuski to go into Executive Session with Chief Finance and Administrative Officer Jay Sweeney to discuss matters, the immediate knowledge of which would adversely affect the finances of the municipality and speak with the Acting Municipal Attorney regarding a legal matter having legal consequences for the municipality. The motion PASSED by the following vote.

Yes: 6 - Hunter, Swanson, Miyasato, Eisenbeisz, Guevin, and Potrzuski

Absent: 1 - McConnell

The Assembly was in executive session from 7:00pm to 7:50pm.

A motion was made by Swanson to RECONVENE as the Assembly in regular session. The motion PASSED by a unanimous voice vote.

A motion was made by Guevin that the City and Borough of Sitka forbear the scheduled principal and past due interest payments on Southeast Alaska Economic Development Fund loans to the Baranof Island Brewing Company (BIBCO) until April 1, 2018, and that monthly payment of interest on the loans' outstanding principle commence September 1, 2016 for the month ending August 31, 2016. Furthermore, I move that the Administrator be directed to enter into an agreement with BIBCO to formalize this forbearance. The motion PASSED by the following vote.

Yes: 6 - Hunter, Swanson, Miyasato, Eisenbeisz, Guevin, and Potrzuski

Absent: 1 - McConnell

XV. ADJOURNMENT

A motion was made by Miyasato to ADJOURN. Hearing no objections, the meeting ADJOURNED at 7:52pm.

ATTEST:

Sara Peterson, CMC
Municipal Clerk



CITY AND BOROUGH OF SITKA

Legislation Details

File #: RES 16-14 Version: 1 Name:

Type: Resolution Status: AGENDA READY

File created: 8/17/2016 In control: City and Borough Assembly

On agenda: 8/23/2016 Final action:

Title: Authorizing a Municipal Matching Grant application to the Alaska Department of Environmental Conservation for South Lake Street and West DeGroff water and sewer improvements

Sponsors:

Indexes:

Code sections:

Attachments: [Res 2016-14.pdf](#)

Date	Ver.	Action By	Action	Result
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Should this item be pulled from the consent agenda the following motion is suggested:

POSSIBLE MOTION

I MOVE TO approve Resolution 2016-14 on first and final reading.

MEMORANDUM

To: Mayor McConnell and Members of the Assembly
Mark Gorman, Municipal Administrator

From: Michael Harmon, P.E., Public Works Director
Dave Longtin, P.E., Senior Engineer *ALL*

Reviewed: Jay Sweeney, Chief Finance and Administrative Officer *[Signature]*
Shilo Williams, Deputy Environmental Superintendent *[Signature]*
Dan Tadic, P.E., Municipal Engineer *DT*
Tori Fleming, Contract Coordinator *[Signature]*

Date: August 17, 2016

Subject: Alaska Department of Environmental Conservation
FY17 Municipal Matching Grant Application

Background

Each year, staff submits loan and grant questionnaires to the Alaska Department of Environmental Conservation (ADEC) Municipal Grants and Loans Program for priority water and sewer improvements. Questionnaires are competitively scored and ranked against other applicants statewide. For FY17, CBS's grant questionnaire for the South Lake and West DeGroff water and sewer improvements project scored well enough to be selected for funding. The grant request is for \$1,000,000, which is the maximum request allowed by the Municipal Matching Grant (MMG) program.

The next necessary step is to complete an MMG application for this project.

Project need

This project will replace the water and sewer mains on Lake Street from the roundabout to DeGroff Street, and the mains on DeGroff Street from Lake to Monastery Street. These mains are more than 35 years old and are in need of replacement, as evidenced by the recent water main break on Lake Street shown on the attached photo. The 50-year-old 6" water main is also undersized, so we will replace it with a 12" line that will approximately quadruple the flow capacity. The elevation of the sewer main on Lake Street is higher than it should be, which makes the sewer main on DeGroff Street flatter and higher than it should be. This results in occasional sewage backups into homes served by the DeGroff sewer, and is likely the key factor that contributed to ADEC choosing to fund this project. This project will lower the elevation of the Lake Street sewer.

The pavement, curb and gutter and sidewalks are also in need of replacement. This work will essentially be subsidized by the ADEC grant, which pays for CBS to return the road surfacing to the pre-project condition.

Analysis

The MMG program offers a 70% grant / 30% municipal match requirement for communities with a population fewer than 10,000. For the South Lake and West DeGroff project, the estimated cost will be \$1.7 million. Alaska Drinking Water Funds and Alaska Clean Water Fund loans have been committed by ADEC and will be used for the local match requirement. The loans have a

term of 20 years at 1.5% interest rate. The CBS FY17 budget also includes \$200,000 in general funds for this project, which will cover the non-ADEC-eligible costs (for example, replacement of curb and gutter that would not need to be demolished to replace the water or sewer mains).

Fiscal Note

Improvements to this infrastructure has been identified in Municipal Capital Improvement Master Plans as top priorities. Funding these projects with grant funds, where possible, is the most prudent fiscal course of action.

In addition, current borrowing rates are very low and uncertain economic times may cause borrowing rates to increase in the future. For this reason, it is also fiscally prudent to utilize fixed-rate, low interest loans for the matching portions of these grants whenever possible.

Recommendation:

Approve Resolution 2016-14 authorizing the City and Borough to submit a grant application to the Alaska Department of Environmental Conservation Municipal Matching Grant Program for the South Lake and West DeGroff water and sewer improvements project, and to execute the resulting grant offer.

July 2016 Water Main Break Repair: Lake Street



CBS crews repaired the 1966 6" cast iron water main in front of 404 Lake Street on July 12, 2016. The larger hole in the pipe photo at top, right, was made by the excavator operator when removing the pipe. The longitudinal crack running the length of the pipe was the source of the leak. In addition to the cost of the work, this busy section of Lake Street serving the Swan Lake Senior Center was shut down for several hours.

Memo

To: City and Borough of Sitka Assembly

To: Mark Gorman, Administrator

From: Jay Sweeney, Chief Financial and Administrative Officer



Date: August 16, 2016

Re: ADEC Municipal Matching Grant for South Lake and West DeGroff Sewer and Water Improvements

Mayor McConnell and Assembly Members,

I support the proposed application for Alaska Department of Environmental Conservation (ADEC) Matching Grant for South Lake and West DeGroff Sewer and Water Improvements. It is important, though, to provide additional financial perspectives into the project.

In recent correspondence to the Assembly, I have spoken to how best practices in Municipal Financial Management stress the importance of ongoing capital improvement project (CIP) planning and its relationship to appropriate levels of working capital in Enterprise Funds. User fees and charges are ultimately derived from the planning for capital improvements. The planning process involves working backwards from capital improvements; first required capital improvements are identified, then required levels of working capital and/or debt necessary to pay for the projects are determined, then cash flow necessary to achieve the desired level of working capital is determined, then, finally, user fees are set at the required level to generate the necessary cash flow.

Replacement of DeGroff and South Lake Street sewer and water mains, with accompanying street, sidewalk, and storm water improvements, has been planned for within the water and wastewater master plans and accompanying CIP fiscal plans. The financial planning for these improvements, however, has forecasted necessary future user fee increases to pay for the portion of the improvements not covered by grants. Or, as stated above, the Municipality will be taking on additional debt (low interest loans) to pay for its matching share of the improvements. This increased debt, in turn, will require increased cash flow from operations to meet the obligations which, in turn, will mean user fees will need to be increased unless other cost reductions can be obtained.

The additional fee burden for the proposed improvements is not large. Additional annual debt service for a low interest loan of \$500,000 would be approximately \$29,000 per year. This would equal approximately a \$0.67/month increase in each user's utility charges.

The critical point that I wish to emphasize is that all infrastructure eventually needs to be replaced and doing so requires either (1) a grant, (2) use of accumulated working capital, or (3) taking on debt. If infrastructure needs to be replaced and a grant is not available to cover the full cost, and if user fees have not been at the appropriate levels to build up working capital to pay for the improvement costs, then either debt must be assumed or the improvements postponed. If debt is assumed, then user fees must be adjusted for the additional annual debt service cost.

The need for the proposed improvements is real and having the State of Alaska, in this fiscal climate, pay 70% is a godsend. I recommend that the Assembly approve the proposed grant application with the recognition that the resulting debt service for the loan required to pay for the matching costs will place pressure on additional user fee increases over the course of the loan.

CITY AND BOROUGH OF SITKA

RESOLUTION NO. 2016-14

A RESOLUTION OF THE CITY AND BOROUGH OF SITKA, ALASKA, AUTHORIZING A MUNICIPAL MATCHING GRANT APPLICATION TO THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION FOR SOUTH LAKE STREET AND WEST DeGROFF WATER & SEWER IMPROVEMENTS

WHEREAS, the City and Borough of Sitka (CBS) seeks to obtain the necessary financial assistance to construct priority water and wastewater improvements; and

WHEREAS, the State of Alaska Department of Environmental Conservation has a Municipal Matching Grant program which could fund the water and sewer improvements; and

WHEREAS, the Municipal Matching Grant program will provide 70% of the funding and CBS would provide 30% of the funding; and

NOW, THEREFORE, BE IT RESOLVED by the Assembly of the City and Borough of Sitka that the Administrator is authorized to apply to the Alaska Department of Environmental Conservation for Municipal Matching Grants for planning, design and construction of the above referenced water and sewer projects and to execute the grant agreements if an offer is made.

PASSED, APPROVED, AND ADOPTED by the Assembly of the City and Borough of Sitka, Alaska on this 23rd day of August 2016.

Mim McConnell, Mayor

ATTEST:

Sara Peterson, CMC
Municipal Clerk



CITY AND BOROUGH OF SITKA

Legislation Details

File #: 16-150 Version: 1 Name:

Type: Item Status: AGENDA READY

File created: 8/16/2016 In control: City and Borough Assembly

On agenda: 8/23/2016 Final action:

Title: Appoint Barbara Kendall to an unexpired term on the Health Needs and Human Services Commission

Sponsors:

Indexes:

Code sections:

Attachments: [Kendall Application.pdf](#)

Date	Ver.	Action By	Action	Result
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POSSIBLE MOTION

I MOVE TO appoint Barbara Kendall to an unexpired term on the Health Needs and Human Services Commission.



**Application for Appointment to Boards, Committees, and Commissions
City and Borough of Sitka**

Board/Commission/Committee: Health Needs and Human Services
 Name: Barbara Kendall Daytime Phone: 907-738-1808
 Address: 206 Park St., Sitka Evening Phone: same
 Email Address: bekendall40a@yahoo.com Fax Number: _____
 Length of Residence in Sitka: 23 years Registered to vote in Sitka? Yes No
 Employer: Sitka Public Health & Sitka Pore Gallery (owner)

Organizations you belong to or participate in:
Recently retired from New Archangel Dancers. I was on the Fine Arts Camp board for 5 years.

Explain your main reason for applying:
I am interested in improving the health of the citizens of Sitka

What background, experience or credentials will you bring to the board, commission, or committee membership?
I have been working for Public Health for 2.5 years, I have a degree in Psychology, and I am a local business owner.

Please disclose any potential conflicts of interest that may arise from your appointment. These may include but are not limited to:

- A substantial financial interest of \$1000 annually that could be influenced by your appointment.
- An immediate family member employed within the scope of this appointment.

Please attach a letter of interest, outline, or resume which includes your education, work, and volunteer experience that will enhance your membership.

→ (To be considered, your application must be complete AND be accompanied by one of the above supporting documents.)

Date: 8/16/16 Signature: Barbara Kendall

Your complete application and resume should be returned to the Municipal Clerk's Office by noon on the Wednesday prior to an advertised Assembly meeting.

Please note: all information submitted will be made public and published online. Appointments are normally made during open session of an Assembly meeting, however, Assembly members may vote to discuss applicant(s) in closed executive session. In this case, do you wish to be present when your application is discussed? Yes No

Return to:
 Melissa Henshaw, Deputy Clerk/Records Specialist, 100 Lincoln Street
 Fax: 907-747-7403 Email: melissa.henshaw@cityofsitka.org

Barbara Kendall

206 Park St., Sitka, AK 99835

cell: 907-738-1808

bekendall40@yahoo.com

Objective To Join the Commission for Health Needs and Human Services

Experience Office Assistant II
Sitka Public Health Center, Sitka, Alaska
Ellen Daly
March 2014-Present

Managing the office, checking in and registering clients, coding health encounters, entering data into data base, processing fees, completing monthly reports, answering phones, maintaining client records, customer service, filing, maintaining security and confidentiality, providing information to the community, handling advertisement, and connecting community members with services.

Owner/Manager
Sitka Rose Gallery, Inc., Sitka, Alaska
April 1993-Present (presently the co-owner runs the day to day business)

Managing busy art gallery business. Conducting sales and customer service. Hiring, training, and supervising employees. Bookkeeping, designing and maintaining gallery website. Updating social media outlets. Conducting phone orders, ordering and buying inventory, packing, shipping, and receiving inventory. Organizing shows, including displaying art, preparing food, advertising, and handling cash. Interacting with a wide variety of customers from all around the globe.

Direct Service Provider
Sitka Counseling and Prevention Services, Sitka, Alaska
Kerry Tomlinson
October 2012-March 2013

Providing services to children and youths who exhibit behavioral, emotional, or social disabilities. Working in the Family Center, guiding clients in learning new skills in interpersonal communication, social skills, copying skills, and teamwork. Maintaining accurate notes on daily activities and skills taught.

Teacher
Mt. Edgecumbe Preschool, Sitka, Alaska
Lori Whitmill
August 2011-July 2013

Planning and organizing lessons, promoting learning and student engagement. Supervising children and activities, conducting group activities, and leading reading, games, dances, and songs. Contributing ideas at weekly staff meetings. Implementing parent/teacher conferences biannually.

Barbara Kendall

206 Park St., Sitka, AK 99835

cell: 907-738-1808

bekendall40@yahoo.com

Education

Bachelor of Art, Psychology
University of California, Davis
Davis, California

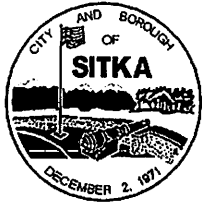
Children's Behavioral Health
University of Alaska, Anchorage
Anchorage, Alaska

General Studies: Art, Psychology
University of Alaska, Southeast
Sitka, Alaska

General Education
Diablo Valley College
California State University, Chico

**Community
Involvement**

New Archangel Dancer
Sitka Studio of Dance
Nutcracker Dancer
Board Member of Sitka Fine Arts Camp for 5 years
Host Family for exchange student 2006/2007
Board Member for Mt. Edgecumbe Preschool
Big with Big Brothers/Big Sister



Health Needs and Human Services Commission

NAME	CONTACT NUMBERS	TERM STARTS	EXPIRES	CATEGORY
DOUG OSBORNE 209 Moller Avenue	747-0373 dosborne@sitkahospital.org	1/27/15	10/14/17	CHAIR <i>Williams term</i>
LOYD PLATSON 805 Charles Street	747-3636 x226 w 623-7560 c lplatson@scpsak.org	8/25/15	10/28/17	VICE CHAIR <i>Zanuzoski's term</i>
MYRON FRIBUSH, MD PO Box 303	738-1489 c 747-5377 h rfribush3@gmail.com	10/22/13	10/22/16	
CLARA GRAY 222 Tongass Drive 310	966-8936 w 752-7880 c clarag@searhc.org	12/8/15	12/8/18	
LAUREN HUGHES 220 Lakeway Drive	747-3636 747-5377 lhughes@scpsak.org	10/22/15	10/22/17	<i>Assembly Liaison</i>
JEFF ARNDT 207 Cedar Heights	738-2025 queenmab@gci.net	11/11/15	11/11/18	
BRIAN RICHARDSON 806 Lincoln Street	747-3636 brichardson@scpsak.org	11/22/15	10/22/17	<i>Assembly Liaison</i>
Melissa Henshaw Deputy Clerk/Records Specialist	747-1826 melissa.henshaw@cityofsitka.org			Secretary
Tristan Guevin PO Box 6235	738-5415 c assemblyguevin@cityofsitka.org			Assembly Liaison

Established by Ordinance 2013-23

7 members 3-year terms (*except for first commission*): The first members appointed to the Commission shall, upon appointment, determine the length of the terms so that the terms of three (3) members shall be for one year, the terms of two (2) members shall be for two years, and the terms of two (2) members shall be for three years, resulting in staggered terms for members subsequently appointed. A vacancy on the commission shall be filled by appointment by the Assembly for any remainder of an unexpired term.

Meeting schedule: 2nd Wednesday of the month; noon at Sealing Cove Business Center at 601 Alice Loop – Meetings are to be held no less than four times per year.

Revised: August 11, 2016



CITY AND BOROUGH OF SITKA

Legislation Details

File #: ORD 16-28 Version: 1 Name:

Type: Ordinance Status: AGENDA READY

File created: 8/2/2016 In control: City and Borough Assembly

On agenda: 8/23/2016 Final action:

Title: Amending Sitka General Code Title 22 "Zoning" by amending Section 22.30.150 "Administrative Approvals Without Notice"

Sponsors:

Indexes:

Code sections:

Attachments: [Motion Ord 2016-28.pdf](#)
[Ord 2016-28.pdf](#)

Date	Ver.	Action By	Action	Result
8/9/2016	1	City and Borough Assembly		

POSSIBLE MOTION

I MOVE TO approve Ordinance 2016-28 on second and final reading.



City and Borough of Sitka

100 Lincoln Street • Sitka, Alaska 99835

Coast Guard City, USA

MEMORANDUM

To: Mayor McConnell and Members of the Assembly
Mark Gorman, Municipal Administrator

From: Samantha Pierson, Planner I
Maegan Bosak, Planning and Community Development Director *MB*

Subject: Zoning Text Amendment – Administrative Variances of up to two feet in C-1 General Commercial, C-2 General Commercial Mobile Home, Waterfront District, and Industrial Zones

Date: July 22, 2016

The request is for a Zoning Text Amendment of SGC 22.30.150, "Administrative approvals without notice." The Planning Commission is requesting that the Assembly consider allowing administrative variances of up to two (2) feet in the commercial, waterfront and industrial zones, in addition to the currently permitted administrative variances in residential zones, as proposed by Planning and Community Development Department staff.

Administrative variances go through the same review process as variance requests that go before the Planning Commission. A lengthy analysis, staff report and associated documents are required for approval. Code Section 22.30.170(A)(1) states that the Assembly may hear appeals of administrative approvals.

Code Section 22.30.150(A)(5) currently allows administrative approval of "minor adjustment to yard requirements in residential zones where the administrator may allow development to encroach up to two feet into a required yard setback when it is determined that strict application of the setback requirement may cause an undue hardship and there are not impacts on adjacent properties." Section 22.30.150(A)(6) allows "minor adjustment to yard requirements for residential structures in commercial zones where the administrator may allow development to encroach up to two feet in required setbacks adjacent to municipally owned upland tracts exceeding fifty acres when it is determined that strict application of the setback requirement may cause an undue hardship and there are not impacts on adjacent properties."

Staff believes that a small setback request could be approved based on the administrative approvals without notice code language and reported to the Commission under the Planning Director's Report as current administrative variances are.

Recommended Action: Approve the Zoning Text Amendment to allow administrative variances of up to two feet in the C-1 General Commercial, C-2 General Commercial Mobile Home, Waterfront District, and Industrial Zones.

CITY AND BOROUGH OF SITKA

ORDINANCE NO. 2016-28

AN ORDINANCE OF THE CITY AND BOROUGH OF SITKA, AMENDING SITKA GENERAL CODE TITLE 22 "ZONING" BY AMENDING SECTION 22.30.150 "ADMINISTRATIVE APPROVALS WITHOUT NOTICE"

1. **CLASSIFICATION.** This ordinance is of a permanent nature and is intended to be a part of the Sitka General Code of the City and Borough of Sitka, Alaska.

2. **SEVERABILITY.** If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and application thereof to any person and circumstances shall not be affected thereby.

3. **PURPOSE.** The purpose of this ordinance is to allow administrative approvals of setback variances of up to two feet in the following zones: C-1 General Commercial, C-2 General Commercial Mobile Home, WD Waterfront, and I Industrial.

4. **ENACTMENT.** NOW, THEREFORE, BE IT ENACTED by the Assembly of the City and Borough of Sitka that SGC Section 22.30.150 is amended to read as follows (new language underlined; deleted language stricken):

* * *

**Chapter 22.30
Zoning Code Administration**

* * *

22.30.150 Administrative approvals without notice.

A. The administrator may approve, approve with conditions, or deny the following without notice:

1. Boundary (lot) line adjustments.

2. Extension of time for approval.

3. Minor amendments or modifications to approved developments or permits. Minor amendments are those which may affect the precise dimensions or location of buildings, accessory structures and driveways, but do not (a) affect overall project character, (b) increase the number of lots, dwelling units, or density, or (c) decrease the quality or amount of open space.

4. Home occupations and other accessory uses in single-family zones.

5. Minor adjustment to yard requirements in residential zones, C-1 general commercial, C-2 general commercial mobile home, WD waterfront, and I industrial zones where the administrator may allow development to encroach up to two feet into a required yard setback when it is determined that strict application of the setback requirement may cause an undue hardship and there are not impacts on adjacent properties.

~~6. Minor adjustment to yard requirements for residential structures in commercial zones where the administrator may allow development to encroach up to two feet in required setbacks adjacent to municipally owned upland tracts exceeding fifty acres when it is determined that strict~~

39 ~~application of the setback requirement may cause an undue hardship and there are not impacts~~
40 ~~on adjacent properties.~~

41 7. 6. Required Findings for Nonconforming Use Permits. The city shall grant a nonconforming
42 use permit if documentary evidence is provided by the applicant to support the planning
43 commission's findings that:

44 a. Granting a nonconforming use permit is necessary to adapt the nonconforming use and
45 associated structures to changes in technology, merchandising, or other generally recognized
46 trends which affect the utility of structures or the applicant's ability to compete;

47 b. Granting a nonconforming use permit will not introduce any (additional) hazards or
48 interfere with the potential development of nearby properties in accordance with present
49 zoning regulations;

50 c. The nonconforming use and associated structures will comply with the requirements of
51 Section 22.24.050(B);

52 d. The applicant's proposal will result in improvements in functionality or safety, or in
53 exterior appearance, screening, access and other features which will make the use or
54 structure more compatible with allowed uses; and

55 e. Granting a nonconforming use permit will not detract from the intent of the
56 comprehensive plan and any implementing regulation.

57 B. Administrator's decisions under this section shall be final on the date issued.

58
59 **5. EFFECTIVE DATE.** This ordinance shall become effective the day after the date of its
60 passage.

61 **PASSED, APPROVED, AND ADOPTED** by the Assembly of the City and Borough of Sitka,
62 Alaska this 23rd day of August, 2016.

63
64
65
66 _____
Mim McConnell, Mayor

67 ATTEST:

68
69
70 _____
71 Sara Peterson, CMC
72 Municipal Clerk

22.30.150 Administrative approvals without notice.

- A. The administrator may approve, approve with conditions, or deny the following without notice:
1. Boundary (lot) line adjustments.
 2. Extension of time for approval.
 3. Minor amendments or modifications to approved developments or permits. Minor amendments are those which may affect the precise dimensions or location of buildings, accessory structures and driveways, but do not (a) affect overall project character, (b) increase the number of lots, dwelling units, or density, or (c) decrease the quality or amount of open space.
 4. Home occupations and other accessory uses in single-family zones.
 5. Minor adjustment to yard requirements in residential zones where the administrator may allow development to encroach up to two feet into a required yard setback when it is determined that strict application of the setback requirement may cause an undue hardship and there are not impacts on adjacent properties.
 6. Minor adjustment to yard requirements for residential structures in commercial zones where the administrator may allow development to encroach up to two feet in required setbacks adjacent to municipally owned upland tracts exceeding fifty acres when it is determined that strict application of the setback requirement may cause an undue hardship and there are not impacts on adjacent properties.
 7. Required Findings for Nonconforming Use Permits. The city shall grant a nonconforming use permit if documentary evidence is provided by the applicant to support the planning commission's findings that:
 - a. Granting a nonconforming use permit is necessary to adapt the nonconforming use and associated structures to changes in technology, merchandising, or other generally recognized trends which affect the utility of structures or the applicant's ability to compete;
 - b. Granting a nonconforming use permit will not introduce any (additional) hazards or interfere with the potential development of nearby properties in accordance with present zoning regulations;
 - c. The nonconforming use and associated structures will comply with the requirements of Section 22.24.050(B);
 - d. The applicant's proposal will result in improvements in functionality or safety, or in exterior appearance, screening, access and other features which will make the use or structure more compatible with allowed uses; and
 - e. Granting a nonconforming use permit will not detract from the intent of the comprehensive plan and any implementing regulation.
- B. Administrator's decisions under this section shall be final on the date issued.

(Ord. 04-60 § 4(J), 2004; Ord. 03-1746 § 4 (part), 2003; Ord. 02-1683 § 4 (part), 2002.)

22.20.030 Classification of new and unlisted uses.

Addition of uses which are not defined or regulated by this title shall be made by the following process:

- A. The administrator shall provide the planning commission with a staff report describing the proposed use addition in the form of an amendment to this title.
- B. The planning commission shall hold a public hearing and, subject to its review, shall recommend an appropriate code amendment to the assembly.
- C. Unless the assembly takes action otherwise within thirty days of the planning commission recommendation, the recommended amendment shall take effect.

(Ord. 11-04S § 4(B) (part), 2011: Ord. 02-1683 § 4 (part), 2002.)

**Table 22.20-1
Development Standards⁽²⁾**

ZONES	MINIMUM LOT REQUIREMENTS		MINIMUM SETBACKS			MAXIMUM HEIGHTS ⁽¹⁹⁾		MAXIMUM BUILDING COVERAGE	MAXIMUM DENSITY
	Width	Area ^(1, 18)	Front ⁽³⁾	Rear	Side	Principal Structures	Accessory Structures		
P	⁽⁴⁾	⁽⁴⁾	20 ft.	15 ft.	10 ft.	40 ft.	16 ft.	35%	
SF ⁽¹⁶⁾	80 ft.	8,000 s.f.	20 ft. ⁽⁸⁾	10 ft. ⁽⁹⁾	8 ft.	35 ft. ⁽¹⁰⁾	16 ft.	35%	
SFLD	80 ft.	15,000 s.f.	20 ft. ⁽⁸⁾	20 ft. ⁽⁹⁾	15 ft.	35 ft. ⁽¹⁰⁾	16 ft.	35%	
R-1 ^(6, 16)	80 ft.	8,000 s.f.	20 ft. ⁽⁸⁾	10 ft. ⁽⁹⁾	8 ft.	35 ft. ⁽¹⁰⁾	16 ft.	35%	
R-1 MH ^(6, 16)	80 ft.	8,000 s.f.	20 ft. ⁽⁸⁾	10 ft. ⁽⁹⁾	8 ft.	35 ft. ⁽¹⁰⁾	16 ft.	35%	
R-1 LD/ LDMH	80 ft.	15,000 s.f. ⁽⁵⁾	20 ft. ⁽⁸⁾	20 ft. ⁽⁹⁾	15 ft.	35 ft. ⁽¹⁰⁾	16 ft.	35%	
R-2 ^(6, 16)	80 ft.	8,000 s.f. for the first two units and 1,000 s.f. for each additional unit	20 ft. ⁽⁸⁾	10 ft. ⁽⁹⁾	8 ft.	40 ft.	16 ft.	50%	Maximum density = 24 DU/A
R-2 MHP ⁽⁶⁾	80 ft.	Same as R-2	20 ft. ⁽⁸⁾	10 ft. ⁽⁹⁾	8 ft.	40 ft.	16 ft.	50%	Same as R-2
CBD ⁽¹⁷⁾	None	None ⁽⁷⁾	⁽¹¹⁾	⁽¹¹⁾	⁽¹¹⁾	50 ft.	16 ft.	None	
C-1 ⁽⁶⁾	60 ft.	6,000 s.f. ⁽⁷⁾	20 ft. ⁽⁸⁾	10 ft.	5 ft.	40 ft.	16 ft.	None, except for setback areas	
C-2 ⁽⁶⁾	60 ft.	6,000 s.f. ⁽⁷⁾	20 ft. ⁽⁸⁾	10 ft.	5 ft.	40 ft.	16 ft.	Same as C-1	
WD ⁽⁶⁾	60 ft.	6,000 s.f. ⁽⁷⁾	20 ft. ^(8, 12)	5 ft. ⁽¹²⁾	10 ft. ⁽¹²⁾	40 ft.	16 ft.	Same as C-1	
GP	50 ft.	5,000 s.f.	10 ft.	5 ft. ⁽¹²⁾	10 ft. ⁽¹²⁾	50 ft.	50 ft.	Same as C-1	
I	100 ft.	15,000 s.f.	20 ft. ⁽⁸⁾	10 ft.	5 ft.	40 ft.	16 ft.	50% ⁽¹³⁾	
LI	None	1 acre ⁽¹⁴⁾	None ⁽¹⁵⁾	None ⁽¹⁵⁾	None ⁽¹⁵⁾	35 ft.	35 ft.	25%	
GI	None	1 acre	None ⁽¹⁵⁾	None ⁽¹⁵⁾	None ⁽¹⁵⁾	35 ft.	35 ft.	None	
R	⁽¹⁶⁾	⁽¹⁶⁾	20 ft.	10 ft.	5 ft.	35 ft.	20 ft.	50%	

ZONES	MINIMUM LOT REQUIREMENTS		MINIMUM SETBACKS			MAXIMUM HEIGHTS ⁽¹⁹⁾		MAXIMUM BUILDING COVERAGE	MAXIMUM DENSITY
	Width	Area ^(1, 18)	Front ⁽³⁾	Rear	Side	Principal Structures	Accessory Structures		
OS	None	1 acre	None ⁽¹⁵⁾	None ⁽¹⁵⁾	None ⁽¹⁵⁾	35 ft.	35 ft.	None ⁽¹⁵⁾	

(Ord. 13-14A § 4 (part), 2013; Ord. 11-04S § 4(B) (part), 2011; Ord. 06-06 § 4(C), 2006; Ord. 03-1746 § 4 (part), 2003; Ord. 02-1683 § 4 (part), 2002.)

22.20.035 Notes to Table 22.20-1.

1. Minimum lot area net of access easements.
2. All developed lots and parcels shall have access to a public street and circulation within the development to ensure adequate vehicular circulation for parking, freight, and emergency vehicles. Where lots or parcels do not front on and have direct access to streets, a minimum twenty-foot improved driveway with a minimum of a twelve-foot wide developed driveable surface on a legal easement shall provide access between the subject development and the street.
3. Front setbacks apply to all lot lines adjacent a public street. Corner lots have two front setbacks.
4. As determined by the specific use and its parking and loading requirements.
5. Duplex shall have a minimum of twelve thousand square feet of lot area per unit.
6. Zero lot line lots shall be a minimum of seven thousand five hundred feet in area.

Additional Note: The minimum square footages for each unit of a zero lot line shall be as follows:

- R-1 and R-1 MH 4,000 sq. ft.
- R-1 LD and R-1 LDMH 7,500 sq. ft.
- R-2 and R-2 MHP 4,000 sq. ft.
- C-1, C-2 and WD 3,000 sq. ft.

Zero lot lines may be allowed on existing lots of record in the R-1 and R-1 MH zones with square footages less than above if the planning commission finds that there is adequate density and parking.

7. Minimum lot area per dwelling unit shall be six thousand square feet for one and two-family dwellings with an additional one thousand square feet for each additional dwelling unit.
8. Front yard setback shall be ten feet when lots abutting street rights-of-way are equal to or greater than eighty feet.
9. Residential docks are exempt from rear yard setback.
10. Except as exempted by Section 22.20.050.
11. Subject to site plan approval.
12. No setbacks are required from property lines of adjacent filled, intertidal, or submerged tidelands.
13. Additional building coverage may be permitted subject to site plan approval.
14. Unless the subject use occupies the entire island.

15. Where island lots share common property lines, the minimum setback shall be fifteen feet.
16. The minimum site setback on lots in zones SF, R-1, R-1 MH, and R-2 shall be five feet for lots that are sixty feet wide or narrower; in all other cases in those zones, the minimum side setback shall be eight feet.
17. A five-foot setback shall be along any property line abutting a public street, alley, or deed access easement. The purpose of this setback shall be to assure that sidewalks, curb and gutter, power pole locations, or other public necessities can be accommodated.
18. Lot size variances may be allowed for subdivisions that include sidewalks or pathways.
19. Accessory dwelling units in residential zones shall be limited to a maximum height of twenty-five feet or the height of the existing principal dwelling unit on the property whichever is less.

(Ord. 13-14A § 4 (part), 2013; Ord. 06-06 § 4(C), 2006; Ord. 03-1746 § 4 (part), 2003; Ord. 02-1683 § 4 (part), 2002.)



CITY AND BOROUGH OF SITKA

Minutes - Final

Planning Commission

Chris Spivey, Chair
Darrell Windsor, Vice Chair
Tamie (Harkins) Parker Song
Debra Pohlman
Randy Hughey

Tuesday, July 19, 2016

7:00 PM

Sealing Cove Business Center

I. CALL TO ORDER AND ROLL CALL

Chair Spivey called the meeting to order at 7:01 PM.

II. CONSIDERATION OF THE AGENDA

Chair Spivey stated that he would need to recuse himself from Item I requested by Ida Eliason, and that a quorum for the item would not be met.

III. CONSIDERATION OF THE MINUTES

A Approval of the June 21, 2016 meeting minutes.

Pohlman/Parker Song moved to APPROVE the June 21, 2016 meeting minutes.
Motion PASSED 3-0.

IV. REPORTS

V. THE EVENING BUSINESS

B Planning Regulations and Procedures.

C Public hearing and consideration of a conditional use permit for a short term rental located on a boat in Crescent Harbor 1-24, 500 Lincoln Street, in the Public zone. The property is also known as a portion of ATS 15. The application is filed by Bruce and Ann-Marie Parker. The owner of record is the City and Borough of Sitka.

Item was not heard as applicants were not present.

D Public hearing and consideration of a conditional use permit for a short term rental located on a boat in Crescent Harbor 6-45, 500 Lincoln Street, in the Public zone. The property is also known as a portion of ATS 15. The application is filed by Tiffany Justice and Ben Timby. The owner of record is the City and Borough of Sitka.

Scarcelli explained the request for a short-term rental on a 24 foot sailboat.

Ultimately, conditional uses must not be detrimental to public health and safety. Scarcelli stated that the Fire Chief had some concerns for access in the event of an emergency. Spivey asked if the conditional use would run with the slip or the boat. Bosak stated that it would be similar to food truck approvals, and the permit is for this boat in this slip. Pohlman stated concern for parking near Crescent Harbor. Bosak stated that approvals are on a case-by-case basis. Bosak read a public comment from Marcia Strand against the proposal.

Tiffany Justice and Ben Timby stated that they want to offer a unique lodging experience through Airbnb. Justice stated that they have a fire extinguisher, carbon monoxide detector, and other safety items. Timby stated that they believe the majority of their renters will not rent cars, but that they will tell renters to park at Crescent Harbor. Timby stated that they will not leave candles or the stove on the boat. Timby stated that he has worked on boats since he was 18. Pohlman asked about emergency contacts for renters. Justice stated that they will make the rental unavailable when they are out of town. Timby stated that they will screen renters through Airbnb. Spivey asked about insurance. Timby stated that they do not currently have insurance, but he could add it to his policy.

Harbormaster Stan Eliason stated that there had previously been an agreement with Sheldon Jackson College to not allow liveaboards in Crescent Harbor, but liveaboards are now allowed. Eliason stated that this is a liveable boat. Pohlman asked about electrical usage. Eliason stated that electrical usage is under the jurisdiction of the Electric Department. Bosak stated that a condition of approval is that the boat is registered as a liveaboard and pay liveaboard fees.

Spivey stated that a condition should be that the owners get and maintain insurance. Parker Song asked if that is a condition for short-term rentals in homes. Bosak stated no, although owners typically have homeowners insurance. Municipal Attorney Brian Hansen stated that the city requires insurance when it contracts with outside entities. Hansen stated that he would need to conduct more research before determining if insurance can be a condition of approval. Parker Song stated that requirements for boat short-term rentals should be commensurate with short-term rentals on land. Pohlman stated that few short-term rentals are located on city property. Bosak recommended that the commission request that staff take another look at this request.

Peter Bradley stated that Airbnb requires that property owners have insurance. Timby stated that many boats are listed on Airbnb. Timby stated that he wants to do everything right.

Pohlman stated that she would like to see how other municipalities deal with boat short-term rentals before making a decision.

Parker Song/Pohlman moved to POSTPONE the item for staff and the applicants to provide additional information.

Motion PASSED 3-0.

E

Public hearing and consideration of a minor subdivision at 211 Shotgun Alley, zoned SFLD Single Family Low Density Residential. The subdivision would result in four lots. The property is also known as Lot 2

of Johnstone Subdivision Replat. The request is filed by Barth Hamberg. The owner of record is Barth Hamberg.

Scarcelli described the request for a four-lot subdivision. Covenants restrict subdivision of this lot to four lots, whereas zoning code would have allowed more lots. A drainage plan was provided, and CBS Public Works has approved the plan. US Army Corps of Engineers issued a de minimis waiver for wetlands. Spivey requested that CBS Municipal Engineer Dan Tadic explain the drainage findings in layman's terms. Tadic stated that the channel probably carried much more water in the past than it does today, and Sawmill Creek Road likely altered local drainage. Tadic stated that pre- and post-development drainage was calculated. Tadic stated that the drainage capacity on the applicant's property is more than sufficient. Tadic stated that the downhill property has created constraints with a manmade dam. Tadic stated that the report has met his requirements.

Barth Hamberg stated that he did not have anything to add. Spivey asked about housing sizes. Hamberg stated that he hasn't decided at this time. Bosak asked Hamberg to elaborate on the covenants. Hamberg stated that the previous owners wanted to ensure that the property was developed responsibly. Hamberg stated that the hydrologist who wrote the drainage report is very experienced and works for the US Forest Service. Pohlman stated concerns for responsible development. Hamberg stated that the deed restrictions would run with the land. Hamberg said that the property does not have an ocean or mountain view, but has a beautiful forest.

Lisa Busch stated that she lives directly below the proposed subdivision. Busch stated concern that a grading permit was granted before the subdivision process. Busch stated that the lots have already been developed and now it seems too late. Busch stated that code states that uphill developers needs to get an easement from the downhill owners. Busch asked the commission how they would protect property owners and preserve the character of the neighborhood.

Davey Lubin stated that he is a downhill property owner. Lubin believes the process is flawed, and that plans should be reviewed by licensed professionals before work can commence. Lubin stated that the drainage report was written by a non-engineer.

Pohlman asked if the drainage assessment was conducted before or after grading occurred. Tadic stated that the report considers the pre-development condition, but was conducted after grading. Pohlman asked if any similar data was conducted when preparing for the Benchlands. Tadic stated that assessments were conducted with different methodology, and this situation is much different than the Benchlands.

CBS Municipal Attorney Brian Hanson stated that the easement requirement only comes into play if the uphill owner develops an artificial drainage system. Hanson stated that the natural stream has not been altered. Hanson recommends that no drainage easement is required. Hanson stated that CBS staff required a drainage assessment and determined that no mitigation is required. Hanson stated that the proper procedure has been followed. Hanson stated that municipal code does not provide clear guidelines for what requires mitigation, but staff have used their professional opinions and past precedence. The uphill property owner has the right to use their property in a

way that does not unreasonably impact the downhill property.

Commission took a 5 minute break.

Scarcelli gave a recap of the proposed subdivision. Parker Song stated that she is inclined to grant the request. Pohlman stated a desire to reach a compromise between the property owners, although it seems that communications are constrained. Parker Song stated that she believes this proposal to be very different from the Benchlands area regarding topography and drainage. Spivey stated that some have said that the Benchlands development caused flooding issues on Sand Dollar Drive, although that has not been proven. Spivey stated that understood the drainage report to state that drainage concerns are caused by the downhill owners, not the applicant. Bosak stated that if an owner maintained the lot as a single-family property, development could impact drainage without a required drainage analysis.

Parker Song asked about requiring collaboration between the property owners. Spivey stated that the commission cannot require them to get along.

Pohlman/Parker Song moved to POSTPONE the item to a meeting when more commissioners are present.

Motion PASSED 3-0.

F

Public hearing and consideration of a conditional use permit application for a three-unit multiple-family structure and a short-term rental at 1715 Sawmill Creek Road, in the R-1 single family and duplex residential district. The property is also known as Lot 1A Corrective Plat of Knauss Lot Line Adjustment. The request is filed by Michael Knauss and Jacklynn Barmoy. The owners of record are Michael Knauss and Jacklynn Barmoy.

Scarcelli described the request for a triplex and a one-unit short-term rental. Both uses are conditional uses in the R-1 zone. The third unit has a complete kitchen and a separate entrance. The property has more than the six required parking spaces. The owners live in one unit, have long-term renters in the second unit, and plan to rent the third unit short-term. The applicants plan to use Airbnb to rent the unit, and will accept a maximum of two renters at a time.

Jacklynn Barmoy and Michael Knauss represented their request. Barmoy stated that she has consulted with the Building Official about occupancy requirements. Pohlman asked if neighbors had stated any concerns. Barmoy stated that the property is separated from neighbors by topography and trees.

No public comment.

Spivey stated that he has reservations due to traffic and creating precedence for triplex approvals. Bosak stated that at the last meeting, the commission approved an accessory dwelling unit with a duplex. Scarcelli stated that he had to be mindful to his speed when driving by the property, and that the commission could condition the installation of a mirror to improve visibility. Spivey asked who owns the property across the street, and Scarcelli confirmed that the applicants did. Knauss stated that there is good visibility both ways. Knauss said many people turn around on his property. Pohlman asked if there was enough space for a three-point turn for the short-term renters, and Barmoy stated that there is enough space. Spivey stated that he does not like lending

to common sense, and stated that future owners must be considered. Scarcelli stated that the Planning Commission can hold a hearing upon receipt of meritorious complaint.

Pohlman/Parker Song moved to APPROVE the required findings.

Required Findings for Conditional Use Permits. The planning commission shall not recommend approval of a proposed development unless it first makes the following findings and conclusions:

1. The city may use design standards and other elements in this code to modify the proposal. A conditional use permit may be approved only if all of the following findings can be made regarding the proposal and are supported by the record that the granting of the proposed conditional use permit will not:
 - a. Be detrimental to the public health, safety, and general welfare;
 - b. Adversely affect the established character of the surrounding vicinity; nor
 - c. Be injurious to the uses, property, or improvements adjacent to, and in the vicinity of, the site upon which the proposed use is to be located.
2. The granting of the proposed conditional use permit is consistent and compatible with the intent of the goals, objectives, and policies of the comprehensive plan and any implementing regulation.
3. All conditions necessary to lessen any impacts of the proposed use are conditions that can be monitored and enforced.
4. The proposed use will not introduce hazardous conditions at the site that cannot be mitigated to protect adjacent properties, the vicinity, and the public health, safety, and welfare of the community from such hazard.
5. The conditional use will be supported by, and not adversely affect, adequate public facilities and services; or that conditions can be imposed to lessen any adverse impacts on such facilities and services.
6. Burden of Proof. The applicant has the burden of proving that the proposed conditional use meets all of the criteria in subsection B of this section.

The city may approve, approve with conditions, modify, modify with conditions, or deny the conditional use permit. The city may reduce or modify bulk requirements, off-street parking requirements, and use design standards to lessen impacts, as a condition of the granting of the conditional use permit. In considering the granting of a conditional use, the assembly and planning commission shall satisfy themselves that the general criteria set forth for uses specified in this chapter will be met. The city may consider any or all criteria listed and may base conditions or safeguards upon them. The assembly and planning commission may require the applicant to submit whatever reasonable evidence may be needed to protect the public interest. The general approval criteria are as follows:

1. Site topography, slope and soil stability, geophysical hazards such as flooding, surface and subsurface drainage and water quality, and the possible or probable effects of the proposed conditional use upon these factors;
2. Utilities and service requirements of the proposed use, including sewers, storm drainage, water, fire protection, access and electrical power; the assembly and planning commission may enlist the aid of the relevant public utility officials with specialized knowledge in evaluating the probable effects of the proposed use and may consider the costs of enlarging, upgrading or extending public utilities in establishing conditions under which the conditional use may be permitted;
3. Lot or tract characteristics, including lot size, yard requirements, lot

coverage and height of structures;

4. Use characteristics of the proposed conditional use that affect adjacent uses and districts, including hours of operation, number of persons, traffic volumes, off-street parking and loading characteristics, trash and litter removal, exterior lighting, noise, vibration, dust, smoke, heat and humidity, recreation and open space requirements;

5. Community appearance such as landscaping, fencing and screening, dependent upon the specific use and its visual impacts.

Conclusion on Findings: That the proposed conditional use as conditioned would not be detrimental to the public's health, safety, or welfare; that the conditions of approval have satisfactorily mitigated any potential harm or impact to the surrounding land uses and properties; and that the required findings have been met.

Motion PASSED 3-0.

Pohlman/Parker Song moved to APPROVE the conditional use permit application for a three-unit multiple-family dwelling and a short term rental at 1715 Sawmill Creek Road, in the R-1 single family and duplex residential district subject to the nine conditions of approval. The property is also known as Lot 1A Corrective Plat of Knauss Lot Line Adjustment. The request is filed by Michael Knauss and Jacklynn Barmoy. The owners of record are Michael Knauss and Jacklynn Barmoy.

Conditions of Approval:

1. Contingent upon a completed satisfactory life safety inspection.
2. The facility shall be operated consistent with the application and plans that were submitted with the request.
3. The facility shall be operated in accordance with the narrative that was submitted with the application.
4. The applicant shall submit an annual report every year, covering the information on the form prepared by the Municipality, summarizing the number of nights the facility has been rented over the twelve month period starting with the date the facility has begun operation. The report is due within thirty days following the end of the reporting period.
5. The Planning Commission, at its discretion, may schedule a public hearing at any time for the purpose of resolving issues with the request and mitigating adverse impacts on nearby properties.
6. Failure to comply with all applicable tax laws, including but not limited to remittance of all sales and bed tax, shall be grounds for revocation of the conditional use permit.
7. Failure to comply with any of the above conditions may result in revocation of the conditional use permit.
8. The property owner shall register for a sales account prior to the Conditional Use Permit becoming valid.
9. Owners shall provide renters with a brief explanation of best traffic circulation patterns to mitigate any potential traffic impacts.

Motion PASSED 3-0.

G

Public hearing and consideration of a conditional use permit request for a daycare at 514 Halibut Point Road and 203 Lakeview Drive, in the R-1 zone. The property is also known as Lots 1, 2, 30, and 31 of Lakeview

Heights Subdivision. The request is filed by Emily Davis and Michelle Barker. The owner of record is First Baptist Church.

Parker Song/Pohlman moved to POSTPONE the item until the applicants commit to attending the hearing. Motion PASSED 3-0.

H

Public hearing and consideration of a conditional use permit major amendment request for a short-term rental at 304 Baranof Street, in the R-1 zone. The property is also known as Lot 1 Westover Subdivision. The request is filed by Island Institute. The owners of record are John and Karen Thielke.

Scarcelli stated that the application is for a major amendment to a nonconforming use permit. A long-term rental has been approved for the property. The applicant would now like to offer the unit as a short-term rental. Scarcelli stated that short-term rentals can increase long-term rental rates. Scarcelli stated that if this amendment is approved, one year must pass before another amendment can be considered, so that any concerns can be appropriately mitigated. Staff recommend approval with eight conditions.

Peter Bradley represented the Island Institute. Bradley stated that the unit is rented for a month or two at a time for artists in residence, which result in "awkward chunks of time."

No public comment.

Spivey stated that his only concern was for traffic, but the unit has already been operating as a long-term rental.

Parker Song/Pohlman moved to APPROVE the required findings.

Required Findings for Conditional Use Permits. The planning commission shall not recommend approval of a proposed development unless it first makes the following findings and conclusions:

1. The city may use design standards and other elements in this code to modify the proposal. A conditional use permit may be approved only if all of the following findings can be made regarding the proposal and are supported by the record that the granting of the proposed conditional use permit will not:
 - a. Be detrimental to the public health, safety, and general welfare;
 - b. Adversely affect the established character of the surrounding vicinity; nor
 - c. Be injurious to the uses, property, or improvements adjacent to, and in the vicinity of, the site upon which the proposed use is to be located.
2. The granting of the proposed conditional use permit is consistent and compatible with the intent of the goals, objectives, and policies of the comprehensive plan and any implementing regulation.
3. All conditions necessary to lessen any impacts of the proposed use are conditions that can be monitored and enforced.
4. The proposed use will not introduce hazardous conditions at the site that cannot be mitigated to protect adjacent properties, the vicinity, and the public health, safety, and welfare of the community from such hazard.
5. The conditional use will be supported by, and not adversely affect, adequate public facilities and services; or that conditions can be imposed to lessen any adverse impacts on such facilities and services.
6. Burden of Proof. The applicant has the burden of proving that the proposed conditional use meets all of the criteria in subsection B of this

section.

The city may approve, approve with conditions, modify, modify with conditions, or deny the conditional use permit. The city may reduce or modify bulk requirements, off-street parking requirements, and use design standards to lessen impacts, as a condition of the granting of the conditional use permit. In considering the granting of a conditional use, the assembly and planning commission shall satisfy themselves that the general criteria set forth for uses specified in this chapter will be met. The city may consider any or all criteria listed and may base conditions or safeguards upon them. The assembly and planning commission may require the applicant to submit whatever reasonable evidence may be needed to protect the public interest. The general approval criteria are as follows:

1. Site topography, slope and soil stability, geophysical hazards such as flooding, surface and subsurface drainage and water quality, and the possible or probable effects of the proposed conditional use upon these factors;
2. Utilities and service requirements of the proposed use, including sewers, storm drainage, water, fire protection, access and electrical power; the assembly and planning commission may enlist the aid of the relevant public utility officials with specialized knowledge in evaluating the probable effects of the proposed use and may consider the costs of enlarging, upgrading or extending public utilities in establishing conditions under which the conditional use may be permitted;
3. Lot or tract characteristics, including lot size, yard requirements, lot coverage and height of structures;
4. Use characteristics of the proposed conditional use that affect adjacent uses and districts, including hours of operation, number of persons, traffic volumes, off-street parking and loading characteristics, trash and litter removal, exterior lighting, noise, vibration, dust, smoke, heat and humidity, recreation and open space requirements;
5. Community appearance such as landscaping, fencing and screening, dependent upon the specific use and its visual impacts.

Motion PASSED 3-0.

Parker Song/ Pohlman moved to APPROVE the conditional use permit amendment request for a short-term rental subject to the eight attached conditions of approval. The property is also known as Lot 1 Westover Subdivision. The request is filed by the Island Institute. The owners of record are John and Karen Thielke.

Conditions of Approval:

1. Contingent upon a completed satisfactory life safety inspection.
2. The facility shall be operated consistent with the application and plans that were submitted with the request.
3. The facility shall be operated in accordance with the narrative that was submitted with the application.
4. The applicant shall submit an annual report every year, covering the information on the form prepared by the Municipality, summarizing the number of nights the facility has been rented over the twelve month period starting with the date the facility has begun operation. The report is due within thirty days following the end of the reporting period.
5. The Planning Commission, at its discretion, may schedule a public hearing at any time for the purpose of resolving issues with the request and mitigating

adverse impacts on nearby properties.

6. Failure to comply with all applicable tax laws, including but not limited to remittance of all sales and bed tax, shall be grounds for revocation of the conditional use permit.

7. Failure to comply with any of the above conditions may result in revocation of the conditional use permit.

8. The property owner shall register for a sales account prior to the Conditional Use Permit becoming valid.

Motion PASSED 3-0.

I Public hearing and consideration of a variance request for 216 Lakeview Drive, in the R-1 zone. The request is for the reduction in the northwesterly side setback from 5 feet to 1 foot for the construction of a garage to replace an existing carport. The property is also known as Lot 51 Lakeview Heights Subdivision. The request is filed by Ida Eliason. The owner of record is Ida Eliason.

Item was not heard due to lack of quorum. To be scheduled on next meeting's agenda.

J Public hearing and consideration of a variance request for substandard lot size at 204 Jeff Davis Street, in the R-2 zone. The property is also known as Lot 17 Sheldon Jackson Campus Subdivision. The request is filed by Randy Hitchcock. The owner of record is Randy Hitchcock.

Scarcelli stated that the applicant seeks to subdivide his property into two lot, and a code note states that development standard size is net of access easements. The total square footages of the lots meet development standards, but when the easements are subtracted, the lots do not meet minimum square footage requirements. Utilities currently exist on a portion of the access easement. If the properties were arranged side by side with no easements, the proposed lot sizes would not be problematic. The easement will act as a buffer and for parking. Scarcelli stated that the proposal is in line with the spirit of the code. Bosak read a comment of concern from Becky Martollo.

Randy Hitchcock stated that upon his purchase of the land, his intention was to build two structures on the property. He would like to subdivide into two lots. Hitchcock stated that he previously had concerns with the easement preventing parking, but he has decided to not request adjustments to the easements. Bosak asked if the new house would have a garage. Hitchcock said that it may have a small garage.

Pohlman/Parker Song moved to adopt as found in the staff report and APPROVE the findings of fact that state there are special circumstances that exist, the variance is necessary to preserve the enjoyment of property rights, the granting of the variance will not be materially detrimental to the public's welfare, health, or safety or nearby parcels or infrastructure; and comports with the Comprehensive Plan by providing substantial justice and equity in line with the spirit of the law.

Required Findings for Variances.

1. Required Findings for Variances Involving Major Structures or Expansions. Before any variance is granted, it shall be shown:

a. That there are special circumstances to the intended use that do not apply

generally to the other properties. Special circumstances may include the shape of the parcel, the topography of the lot, the size or dimensions of the parcels, the orientation or placement of existing structures, or other circumstances that are outside the control of the property owner (here the existing large oversized easements and code section that reduces net area);

b. The variance is necessary for the preservation and enjoyment of a substantial property right or use possessed by other properties but are denied to this parcel; such uses may include the placement of garages or the expansion of structures that are commonly constructed on other parcels in the vicinity (here alternatives would allow identical development, but for the access easements);

c. That the granting of such a variance will not be materially detrimental to the public welfare or injurious to the property, nearby parcels or public infrastructure (again, alternatives would allow the same outcome, and the outcome is in harmony with surrounding land use); and

d. That the granting of such a variance will not adversely affect the comprehensive plan (A grant of a variance will consider relevant factors including spirit of the code section that applies and seeking substantial justice and equity).

Motion PASSED 3-0.

Pohlman/Parker Song moved to APPROVE the platting variance request for substandard lot sizes at 204 Jeff Davis Street, in the R 2 zone reducing the net size lot B to 5,097 s.f. and lot A to 5,596.87 s.f. The property is also known as Lot 17 Sheldon Jackson Campus Subdivision. The request is filed by Randy Hitchcock. The owner of record is Randy Hitchcock.

Motion PASSED 3-0.

K

Public hearing and consideration of a minor subdivision and easement change request for 204 Jeff Davis Street, in the R-2 zone. The property is also known as Lot 17 Sheldon Jackson Campus Subdivision. The request is filed by Randy Hitchcock. The owner of record is Randy Hitchcock.

Scarcelli stated that the proposal is to split an approximately 17,000 square foot lot into two lots. With the granted variance, the proposal meets development standards. The proposal would result in another lot that can be developed. The easement would not be changed. Staff recommend approval. Spivey stated concern for a potential front setback variance to be required to build on the new lot. Bosak clarified that the front lot would only have one front setback, and that the easement does not create another front setback.

Randy Hitchcock stated that the approval at the Historic Preservation Commission failed 3-1, but 3 were in favor. Scarcelli stated that staff and the applicant have reached out to a variety of interested parties, and feedback has been largely positive.

No public comment.

Spivey stated that it would be unrealistic to build two houses on each of the new two lots.

Pohlman/Parker Song moved to adopt the Senior Planner's analysis and APPROVE the findings of fact that the minor subdivision is not detrimental the public's health, safety, and welfare nor injurious to nearby parcels.

Motion PASSED 3-0.

Pohlman/Parker Song moved to APPROVE the minor subdivision request for 204 Jeff Davis Street, in the R 2 zone. The property is also known as Lot 17 Sheldon Jackson Campus Subdivision. The request is filed by Randy Hitchcock. The owner of record is Randy Hitchcock

Motion PASSED 3-0.

L

Public hearing and consideration of a minor subdivision request filed for tidelands adjacent to 1 Lincoln Street, as required for the tideland lease process. The property is also known as a portion of ATS 15, and is in the Waterfront District. The request is filed by Petro Marine Services. The owner of record is the City and Borough of Sitka.

Bosak described the request. The subdivision is required for the 50 year tideland lease request. The proposed dock will streamline boat traffic and provide additional safety measures. An access easement should be a condition of approval. Staff is in support of the request.

Jerry Jacobs represented Petro Marine and stated that he didn't have anything additional to add.

No public comment.

Parker Song/Pohlman moved to APPROVE the findings as discussed in the staff report.

- 1) That the proposed minor subdivision complies with the Comprehensive Plan and Sitka General Code by delineating an area for a prospective tideland lease; and
- 2) That the subdivision would not be injurious to public health, safety, and welfare.

Motion PASSED 3-0.

Parker Song/Pohlman moved to APPROVE the preliminary plat of the minor subdivision for tidelands adjacent to 1 Lincoln Street with the condition that access is guaranteed. The property is also known a portion of ATS 15. The request is filed by Petro Marine Services. The owner of record is the City and Borough of Sitka.

Motion PASSED 3-0.

M

Public hearing and consideration of a zoning map amendment for ASLS 15-06. The proposal would change the property from unzoned to OS Open Space. The request is filed by the City and Borough of Sitka Planning Department. The owner of record is the State of Alaska.

Scarcelli stated that this is a follow-up item to the major subdivision on Nakwasina Sound. The property is not zoned. A zoning assignment would guide future development. Staff recommend that the Commission recommend OS Open Space zoning to the Assembly. Single family residential and recreational uses would be permitted. Lodges are not permitted. OS zoning is less intensive than other possibility zoning assignments, particularly since the

properties will not have municipal water and sewer service.

No public comment.

Spivey stated that the OS zoning makes sense for this parcel.

Pohlman/ Parker Song moved to APPROVE findings as discussed in the staff report.

1. That the granting of such zoning map amendment will not adversely affect the Comprehensive Plan, and it is consistent with Comprehensive Plan 2.4.1 which states, "To guide the orderly and efficient use of private and public land in a manner that encourages a rural lifestyle, recognizes the natural environment, and enhances the quality of life for present and future generations, specifically, by assigning OS zoning to preserve the property's rural character."

2. The zoning map change is consistent with the public purpose of developing commonsense zoning.

3. The zoning map change will not result in adverse effects on public health, safety, and welfare.

Motion PASSED 3-0.

Pohlman/Parker Song moved to RECOMMEND approval the zoning map amendment of ASLS 15-06 to assign OS Open Space zoning. The request is filed by the City and Borough of Sitka Planning and Community Development Department. The owner of record is the State of Alaska Department of Natural Resources Division of Mining, Land, and Water.

Motion PASSED 3-0.

N

Public hearing and consideration of a zoning text amendment to allow staff to approve administrative variances of up to two feet in C-1 General Commercial, C-2 General Commercial Mobile Home, Industrial, and Waterfront zones. The request is filed by the CBS Planning and Community Development Department.

Bosak explained the request, which would give an administrative authority to grant administrative variances of up to 2 feet in Commercial C-1, Commercial C-2, Waterfront WD and Industrial I zones. This can already be done in residential zones.

No public comment.

Pohlman asked how 2 feet was determined for this request. Bosak stated that administrative variances in residential zones are up to 2 feet.

Pohlman/Parker Song moved to RECOMMEND the zoning text amendment.

Motion PASSED 3-0.

VI. PLANNING DIRECTOR'S REPORT

Bosak reported that the next Comp Plan meeting is August 2 at ANB Hall. Bosak stated that Barb Sheinberg will be contacting commissioners and

participating in the meeting. The meeting will include a walkability assessment.

VII. PUBLIC BUSINESS FROM THE FLOOR

VIII. ADJOURNMENT

Pohlman/Parker Song moved to ADJOURN at 10:07 PM. Motion PASSED 3-0.

Attest: _____
Samantha Pierson, Planner I



City and Borough of Sitka

100 Lincoln Street • Sitka, Alaska 99835

Coast Guard City, USA

Planning and Community Development Staff propose a zoning text amendment of 22.30.150 Administrative approvals without notice. We request that the Planning Commission consider allowing administrative variances of up to two (2) feet in the commercial, waterfront and industrial zones, in addition to the currently permitted administrative variances in residential zones.

Administrative variances go through the same review process as variance requests that come before the Commission. A lengthy analysis, staff report and associated documents are required for approval.

Staff believes that a small setback request could be approved based on the administrative approvals without notice code language and reported to the Commission under the Planning Directors report as current administrative variances are.

Recommendation: Approve the zoning text amendment.



CITY AND BOROUGH OF SITKA
 PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT
 GENERAL APPLICATION FORM

1. Request projects at least **FOURTEEN (14)** days in advance of next meeting date.
2. Review guidelines and procedural information.
3. Fill form out **completely**. No request will be considered without a completed form.
4. Submit all supporting documents and proof of payment.

APPLICATION FOR: VARIANCE CONDITIONAL USE
 ZONING AMENDMENT PLAT

BRIEF DESCRIPTION OF REQUEST: Change to 22.30.150 Administrative approvals without notice
Allow administrative variance of up to two (2) feet in commercial, industrial and waterfront zones.
Currently only permitted in residential zones

PROPERTY INFORMATION:

CURRENT ZONING: _____ PROPOSED ZONING (if applicable): _____
 CURRENT LAND USE(S): _____ PROPOSED LAND USES (if changing): _____

APPLICANT INFORMATION:

PROPERTY OWNER: CBS- Planning and Community Development Department Maegan Bosak
 PROPERTY OWNER ADDRESS: _____
 STREET ADDRESS OF PROPERTY: _____
 APPLICANT'S NAME: _____
 MAILING ADDRESS: _____
 EMAIL ADDRESS: maegan.bosak@cityandboroughofsitka.org DAYTIME PHONE: 907.747.1824

PROPERTY LEGAL DESCRIPTION:

TAX ID: _____ LOT: _____ BLOCK: _____ TRACT: _____
 SUBDIVISION: _____ US SURVEY: _____

OFFICE USE ONLY			
COMPLETED APPLICATION		SITE PLAN	
NARRATIVE		CURRENT PLAT	
FEE		PARKING PLAN	

REQUIRED SUPPLEMENTAL INFORMATION:

- Completed application form
- Narrative
- Site Plan showing all existing and proposed structures with dimensions and location of utilities
- Proof of filing fee payment
- Proof of ownership
- Copy of current plat
- Topographic information (If Pertinent to Application)
- Landscape Plan (If Pertinent to Application)
- Drainage and Utility Plan (If Pertinent to Application)
- Parking Plan (For Conditional Use Permit)
- Floor Plan (For Conditional Use Permit)
- Three (3) copies of concept plat (For Plat)
- Plat Certificate from a title company (For Plat)

CERTIFICATION:

I hereby certify that I am the owner of the property described above and that I desire a planning action in conformance with Sitka General Code and hereby state that all of the above statements are true. I certify that this application meets SCG requirements to the best of my knowledge, belief, and professional ability. I acknowledge that payment of the review fee is non-refundable, is to cover costs associated with the processing of this application, and does not ensure approval of the request. I understand that public notice will be mailed to neighboring property owners and published in the Daily Sitka Sentinel. I further authorize municipal staff to access the property to conduct site visits as necessary.

Mary Bognik
Owner

4/22/16
Date

Applicant (If different than owner)

Date



CITY AND BOROUGH OF SITKA

Legislation Details

File #: ORD 16-29 Version: 1 Name:

Type: Ordinance Status: AGENDA READY

File created: 8/2/2016 In control: City and Borough Assembly

On agenda: 8/23/2016 Final action:

Title: Amending the official Sitka Zoning Map to assign OS (Open Space) Zoning to ASLS 2015-06, a previously unzoned parcel

Sponsors:

Indexes:

Code sections:

Attachments: [Motion Ord 2016-29.pdf](#)
[Ord 2016-29..pdf](#)

Date	Ver.	Action By	Action	Result
8/9/2016	1	City and Borough Assembly		

POSSIBLE MOTION

I MOVE TO approve Ordinance 2016-29 on second and final reading.



City and Borough of Sitka

100 Lincoln Street • Sitka, Alaska 99835

Coast Guard City, USA

MEMORANDUM

To: Mayor McConnell and Members of the Assembly
Mark Gorman, Municipal Administrator

From: Samantha Pierson, Planner I
Maegan Bosak, Planning and Community Development Director *MB*

Subject: Zoning Map Amendment – Assigning Open Space (OS) zoning to ASLS 15-06, Nakwasina Sound Subdivision

Date: July 22, 2016

The request is for a Zoning Map Amendment to assign zoning to ASLS 15-06 on Lisianski Peninsula, otherwise known as Nakwasina Sound Subdivision. The Planning Commission recommended the Zoning Map Amendment assigning Open Space (OS) zoning during the July 19, 2016 meeting on a 3-0 vote.

Global Positioning Services is requesting approval of a final plat for a major subdivision of ASLS 15-06, consisting of 122.35 acres. The land is currently unzoned, and this proposal would assign Open Space (OS) zoning.

Open Space (OS) zoning would allow property owners to build recreational housing, while still preserving rural character. The Open Space (OS) zoning district: “is to serve as a holding zone for large islands or tracts for which specific plans have not been established.”¹ Permitted OS uses include single-family detached housing, trails, campgrounds, docks, a marina, and commercial home horticulture. One small private recreational cabin per lot is permitted in addition to the principal structure.

Recommended Action: Approve the Zoning Map Amendment for Open Space (OS) zoning as recommended by the Planning Commission.

¹ § 22.16.160 OS Open Space Zone

CITY AND BOROUGH OF SITKA

ORDINANCE NO. 2016-29

AN ORDINANCE OF THE CITY AND BOROUGH OF SITKA, ALASKA AMENDING THE OFFICIAL SITKA ZONING MAP TO ASSIGN OS (OPEN SPACE) ZONING TO ASLS 2015-06, A PREVIOUSLY UNZONED PARCEL

1. CLASSIFICATION. This ordinance is of a permanent nature and is intended to be a part of the Sitka General Code of the City and Borough of Sitka, Alaska.

2. SEVERABILITY. If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and application thereof to any person and circumstances shall not be affected thereby.

3. PURPOSE. The purpose of this ordinance is to assign OS (Open Space) zoning to ASLS 2015-06, a previously unzoned parcel. The zoning is consistent with the goals and policies of the 2007 Sitka Comprehensive Plan, specifically Sections 2.4.3 and 2.4.14, and Title 22, Section 22.16.160 (Open Space Zone).

4. ENACTMENT. NOW, THEREFORE, BE IT ENACTED by the Assembly of the City and Borough of Sitka that the official zoning map is amended to zone ASLS 2015-06 as OS (Open Space).

Appendix A is attached showcasing zoning map amendment.

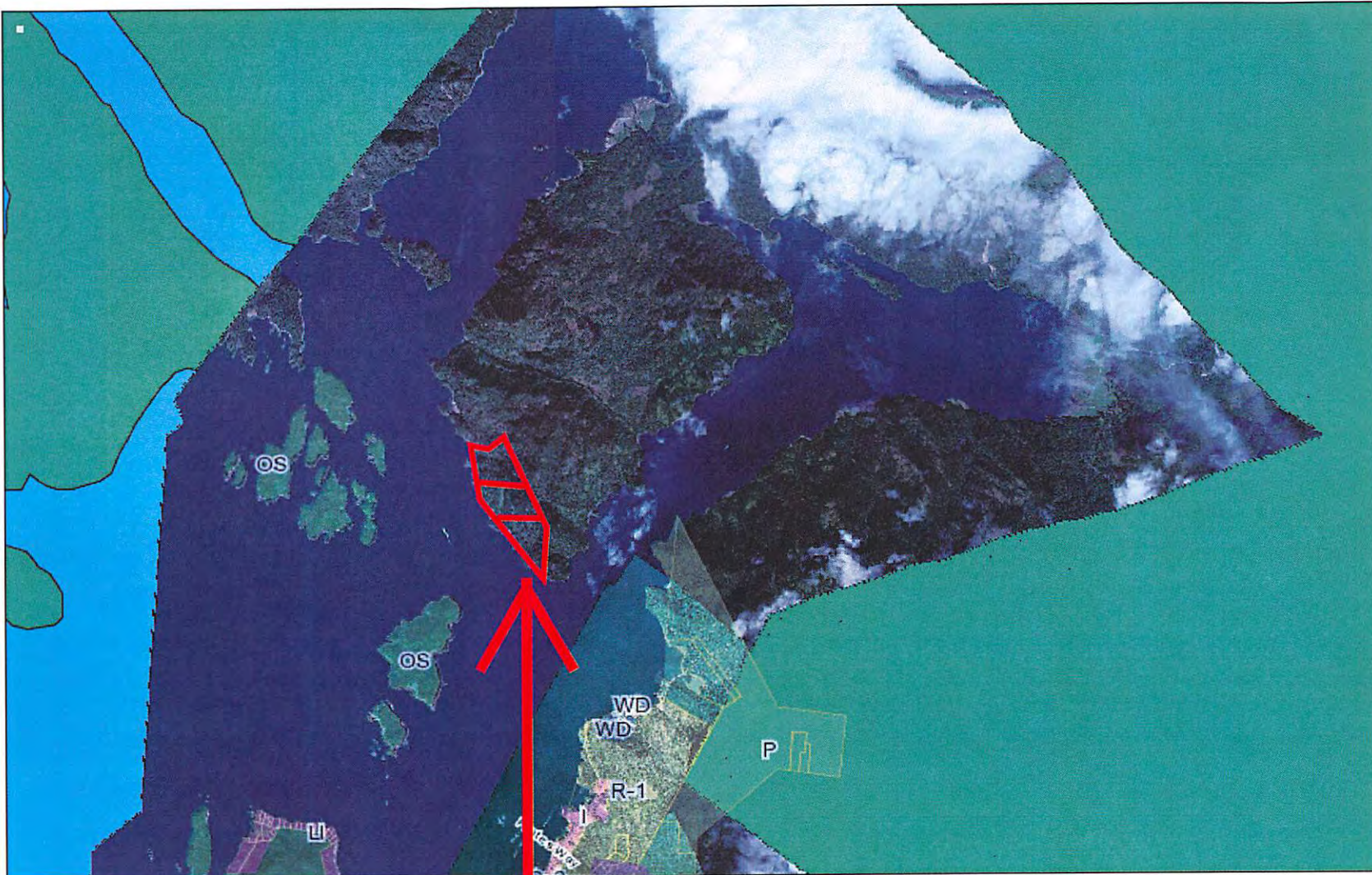
5. EFFECTIVE DATE. This ordinance shall become effective on the day after the date of its passage.

PASSED, APPROVED, AND ADOPTED by the Assembly of the City and Borough of Sitka, Alaska this 23rd day of August, 2016.

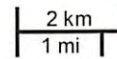
Mim McConnell, Mayor

ATTEST:

Sara Peterson, CMC
Municipal Clerk



City & Borough of Sitka, Alaska



Printed on 7/28/2016 from <http://www.mainstreetmaps2.com/ak/sitka/internal.asp>

This map is for informational purposes only. It is not for appraisal of, description of, or conveyance of land. The City & Borough of Sitka, Alaska and MainStreetGIS, LLC assume no legal responsibility for the information contained herein.

Exhibit A

Page 1 of 2

NOTES

1. THIS SURVEY WAS ACCOMPLISHED IN ACCORDANCE WITH AS 38.04.045, CSC 807, AND SS 2015-06.
2. ALL BEARINGS SHOWN ARE TRUE BEARINGS AS ORIENTED TO THE HAZYS OF BEARING AND DISTANCES ARE REDUCED TO HORIZONTAL FIELD DISTANCES.
3. THE ERROR OF CLOSURE OF THIS SURVEY DOES NOT EXCEED 1/5000. ANY/ON CORNER POSITIONS HAVE A RELATIVE POSITIONAL ACCURACY AT THE 95 PERCENT CONFIDENCE LEVEL OF 0.13 FEET PER 100 FEET.
4. ALL PARCELS OF LAND OWNED BY THE STATE OF ALASKA, LOCATED WITHIN 50.00 FEET OF, OR INTERSECTED BY A SUBMITTED OR PROTRACTED SECTION LINE, ARE SUBJECT TO A 50-FOOT EASEMENT ON EACH SIDE OF THE SECTION LINE, WHICH IS REFERRED TO THE STATE OF ALASKA FOR PUBLIC HIGHWAYS UNDER AS 19.10.010.
5. THE BASIS OF BEARING FOR THIS PLAT WAS DETERMINED BY HIGH PRECISION GLOBAL NAVIGATION SATELLITE SYSTEM (GNSS) MEASUREMENTS IN MARCH 2015 (EPOCH 2010.000) DATUM, USING TRIMBLE R6 AND R6C CORNER PHASE RECEIVERS DIFFERENTIALLY CORRECTED AND PROCESSED USING TRIMBLE BUSINESS CENTER SOFTWARE, VERSION 2.11. LOCAL PLUMB BEARINGS ARE ORIENTED TO TRUE GEODETIC NORTH AS NATIONAL GEODETIC SURVEY CONTROL MONUMENT "CHIT" (MONUMENT RT) OF THIS SURVEY.
6. THE SHOWN RECORD COORDINATES ARE FROM NATIONAL GEODETIC SURVEY, NATIONAL OCEANIC & ATMOSPHERIC ADMINISTRATION CONTROL MONUMENT "CHIT". THIS MONUMENT IS DESIGNATED IN PART OF THIS SURVEY. THESE COORDINATES WERE HELD AND USED TO COMPUTE THE PROTRACTED POSITIONS OF THE RECTANGULAR (SECTION, QUARTER & SIXTEENTH) CORNERS THE FOUND MARCH 2015 (2015) COORDINATES (LAT/LONG) ARE BASED ON AN GNSS SOLUTION (EPOCH 2010.000) FOR NGS "CHIT" AND USED FOR VERIFICATION ONLY OF THE LOCATION THE COORDINATES WERE CONstrained TO THE NATIONAL SPATIAL REFERENCE SYSTEM USING THE CORNERS REFERENCE STATIONS: MORTAL (AKNAN000) CORNERS (PO 488893), JENKINS (AKN100) CORNERS (PO 488893), AND CAMPBELL (AKN200) CORNERS (PO 488893).
7. THE NATURAL BOUNDARIES OF THE LINE OF MEAN HIGH WATER (MHW) FROM THE TIDE BOUNDS OF LOTS 1-19 AND TRACT A ARE APPROXIMATE LINE OF MHW AS SHOWN, IS FOR AREA COMPUTATIONS ONLY, WITH THE TRUE CORNERS BEING ON THE EXTENSION OF THE SEPARATES AND THEIR INTERSECTION WITH THE NATURAL BOUNDARIES.
8. THERE IS A 100-FOOT MHW BUILDING SETBACK FROM THE MEAN HIGH WATER LINE OF SITKA SOUND.
9. ALASKA REGISTERED LAND SURVEYORS AND THEIR EMPLOYEES HAVE ACCESS RIGHTS FOR SURVEY PURPOSES TO NGS MONUMENTS "ANSKI", "TAT" AND THEIR REFERENCE OBJECTS. THE OWNER OR SUCCESSOR IN TITLE SHALL PROVIDE ACCESS TO AND PRESERVE THE LOCATION OF THE MONUMENTS AND REFERENCES.
10. THE MUNICIPALITY IS PARTY TO ALL EASEMENTS AND PLAT NOTES. THEY SHALL NOT BE MODIFIED WITHOUT APPROVAL OF THE PLATING BOARD.

LEGEND:

- BLM PRIMARY MONUMENT RECOVERED THIS SURVEY AS NOTED ON SHEET 4
- GEODETIC CONTROL MONUMENT RECOVERED THIS SURVEY AS NOTED ON SHEET 4
- PRIMARY MONUMENT TO BE SET THIS SURVEY AS NOTED ON SHEET 4
- SECONDARY MONUMENT TO BE SET THIS SURVEY AS NOTED ON SHEET 4
- SURVEYED LINES
- UNSURVEYED
- MONUMENT CENTER
- MEAN HIGH WATER

ACREAGE	
LOT 1:	9.36
LOT 2:	9.94
LOT 3:	6.92
LOT 4:	7.38
LOT 5:	7.26
LOT 6:	9.15
LOT 7:	9.53
LOT 8:	8.02
LOT 9:	5.18
LOT 10:	4.29
LOT 11:	3.20
LOT 12:	6.00
LOT 13:	5.20
LOT 14:	3.34
LOT 15:	2.86
LOT 16:	2.22
LOT 17:	1.37
LOT 18:	8.22
TRACT A:	0.25
TOTAL:	122.35

CERTIFICATION OF APPROVAL BY THE PLANNING COMMISSION
 I HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION REGULATIONS OF THE CITY AND BOROUGH PLANNING COMMISSION, AND THAT SAID PLAT HAS BEEN APPROVED BY THE BOARD BY PLAT RESOLUTION NO. _____ DATED _____ AND THAT THE PLAT SHOWN HEREON HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE DISTRICT COURT, EX OFFICIO RECORDER, SITKA, ALASKA.

TITLE _____ CHAIRMAN, PLANNING COMMISSION
 SECRETARY _____

CERTIFICATION OF PAYMENT OF TAXES
 STATE OF ALASKA (CITY/DISTRICT)
 I, THE UNDERSIGNED, BEING DULY APPOINTED AND QUALIFIED, AND ACTING ASSESSOR FOR THE CITY AND BOROUGH OF SITKA, DO HEREBY CERTIFY THAT, ACCORDING TO THE RECORDS OF THE CITY AND BOROUGH OF SITKA, THE FOLLOWING DESCRIBED PROPERTY IS CARRIED ON THE TAX RECORDS IN THE NAME OF _____ AND THAT, ACCORDING TO THE RECORDS IN MY POSSESSION, ALL TAXES ASSESSED AGAINST SAID LANDS AND IN FAVOR OF THE CITY AND BOROUGH OF SITKA ARE PAID IN FULL, THAT CURRENT TAXES FOR THE YEAR _____ WILL BE DUE ON OR BEFORE _____ DAY OF _____ AT SITKA, ALASKA.

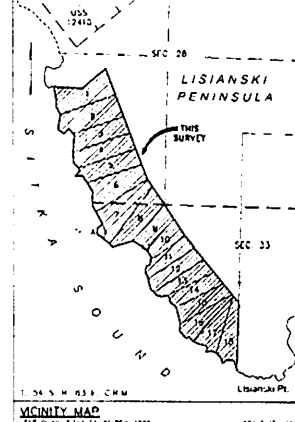
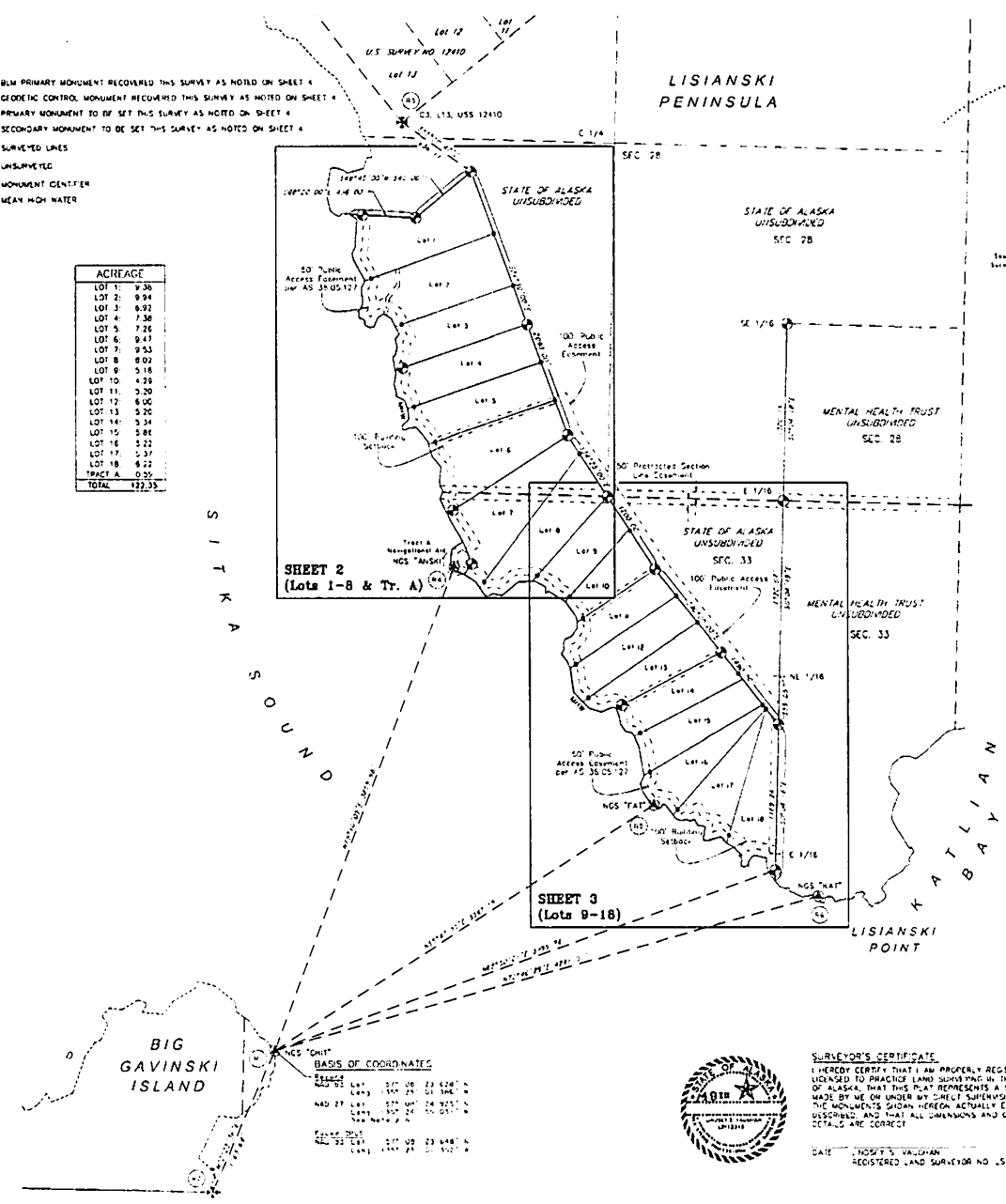
DATED THIS _____ DAY OF _____ 20____ AT SITKA, ALASKA
 ASSESSOR _____ CITY AND BOROUGH OF SITKA

CERTIFICATE OF APPROVAL BY THE ASSEMBLY
 I HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION REGULATIONS OF THE CITY AND BOROUGH OF SITKA AND THAT SAID PLAT HAS BEEN APPROVED BY THE ASSEMBLY AS RECORDED BY MINUTE BOOK _____ PAGE _____ AND THAT THE PLAT SHOWN HEREON HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE DISTRICT COURT, EX OFFICIO RECORDER, SITKA, ALASKA.

DATE _____ MAYOR _____ MUNICIPAL CLERK _____

CERTIFICATE OF PAYMENT OF LOCAL IMPROVEMENT DISTRICT
 I, THE UNDERSIGNED, BEING DULY APPOINTED AND QUALIFIED, AND ACTING FINANCE DIRECTOR FOR THE CITY AND BOROUGH OF SITKA, DO HEREBY CERTIFY THAT, ACCORDING TO THE RECORDS OF THE CITY AND BOROUGH OF SITKA, THE FOLLOWING DESCRIBED PROPERTY IS CARRIED ON THE RECORDS IN THE NAME OF _____ AND THAT, ACCORDING TO THE RECORDS IN MY POSSESSION, ALL LID'S ASSESSED AGAINST SAID LANDS AND IN FAVOR OF THE CITY AND BOROUGH OF SITKA ARE PAID IN FULL.

DATED THIS _____ DAY OF _____ 20____ AT SITKA, ALASKA
 FINANCE DIRECTOR _____ CITY AND BOROUGH OF SITKA

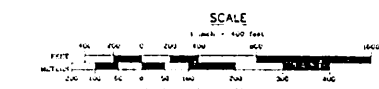


CERTIFICATE OF OWNERSHIP AND DECLARATION
 I, THE UNDERSIGNED, HEREBY CERTIFY THAT I AM THE DIRECTOR, DIVISION OF MINING, LAND AND WATER AND THAT THE STATE OF ALASKA IS THE OWNER OF AS 5 2015-06, AS SHOWN HEREON. I HEREBY APPROVE THIS SURVEY AND PLAT FOR THE STATE OF ALASKA, AND CERTIFY FOR PUBLIC OR PRIVATE USE, AS NOTED. ALL EASEMENTS, PUBLIC UTILITY AREAS AND RIGHTS-OF-WAY AS SHOWN AND DESCRIBED HEREON.

DATE _____ DIVISION OF MINING, LAND AND WATER
 200 W. 7TH AVE., SUITE 10700 ANCHORAGE, AK 99501-3078

NOTARY'S ACKNOWLEDGEMENT
 SUBSCRIBED AND SWORN TO before me this _____ DAY OF _____ 20____.

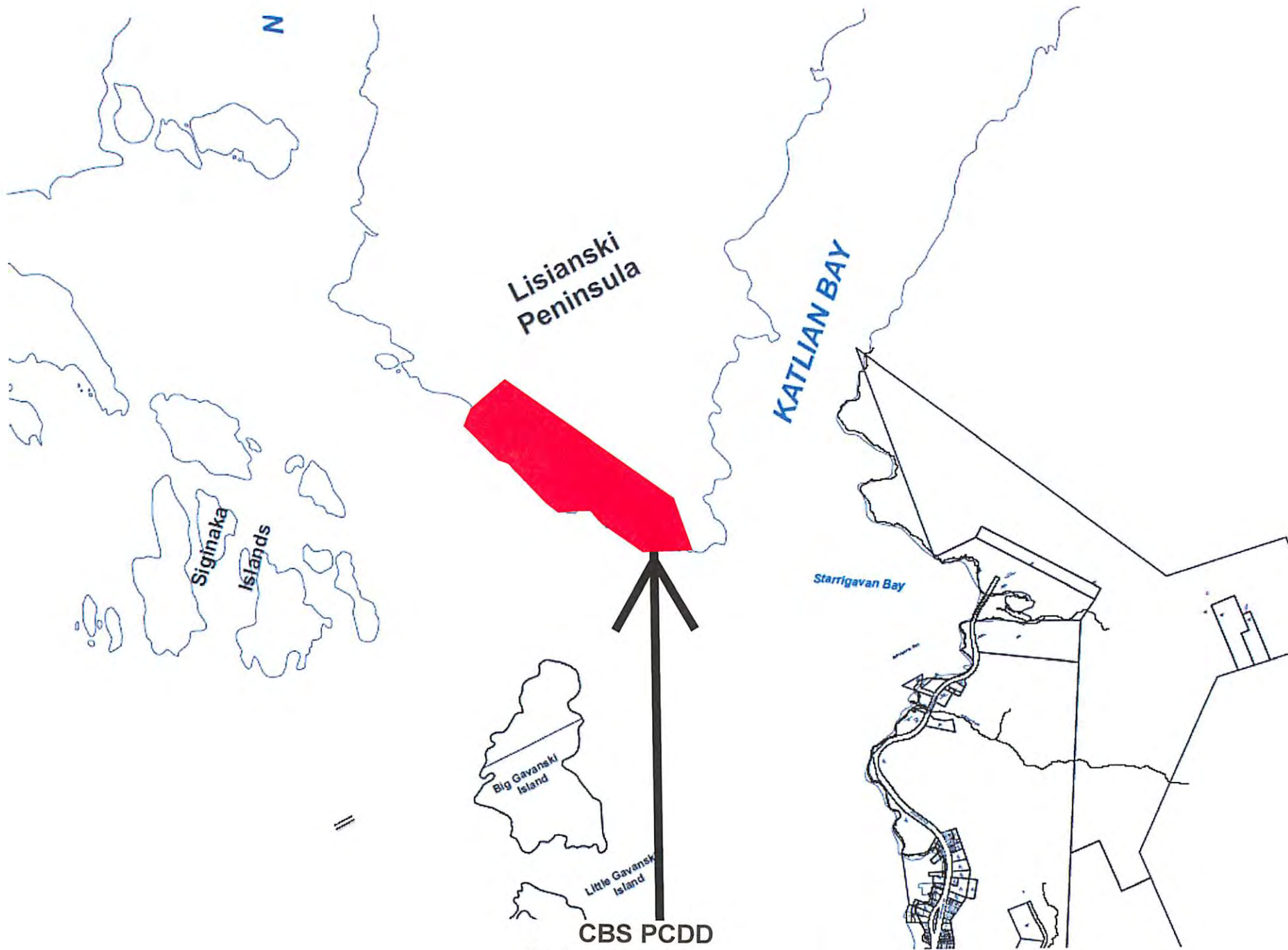
NOTARY PUBLIC FOR ALASKA
 BY COMMISSION EXPIRES _____



SURVEYOR'S CERTIFICATE
 I HEREBY CERTIFY THAT I AM PROPERLY REGISTERED AND LICENSED TO PRACTICE LAND SURVEYING IN THE STATE OF ALASKA, THAT THIS PLAT REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION, THAT THE MONUMENTS SHOWN HEREON ACTUALLY EXIST AS DESCRIBED, AND THAT ALL DIMENSIONS AND OTHER DETAILS ARE CORRECT.

DATE _____ NOTARY'S VALIDATION
 REGISTERED LAND SURVEYOR NO. 55-12318

DATE OF SURVEY	August 5, 2015
Requesting Party	Global Positioning Services, Inc. 3603 Dumberry Rd Anchorage, Alaska 99503
DEPARTMENT OF NATURAL RESOURCES DIVISION OF MINING, LAND & WATER	
ALASKA STATE LAND SURVEY NO. 2015-06	
NAKWASINA SOUND SUBDIVISION	
A SUBDIVISION OF PORTIONS OF SW 1/4 UNSURVEYED SECTION 28, AND NW 1/4, S 1/2 NE 1/4, & NW 1/4 SE 1/4 UNSURVEYED SECTION 33, NATIONAL TOWNSHIP 24 SOUTH, RANGE 63 EAST UPPER RIVER MERIDIAN, ALASKA CREATING LOTS 1-18 AND TRACT A CONTAINING 122.35 ACRES MORE OR LESS LOCATED WITHIN SITKA RECORDING DISTRICT	
RETURN BY	APPROVAL RECOMMENDED
DATE	2015/08/05
LOCAL	1" = 400'
SHEET	1 OF 4
ASL	ASL 20:50006



Lisianski Peninsula

KATLIAN BAY

Signaka Islands

Starrigavan Bay

Big Gavanski Island

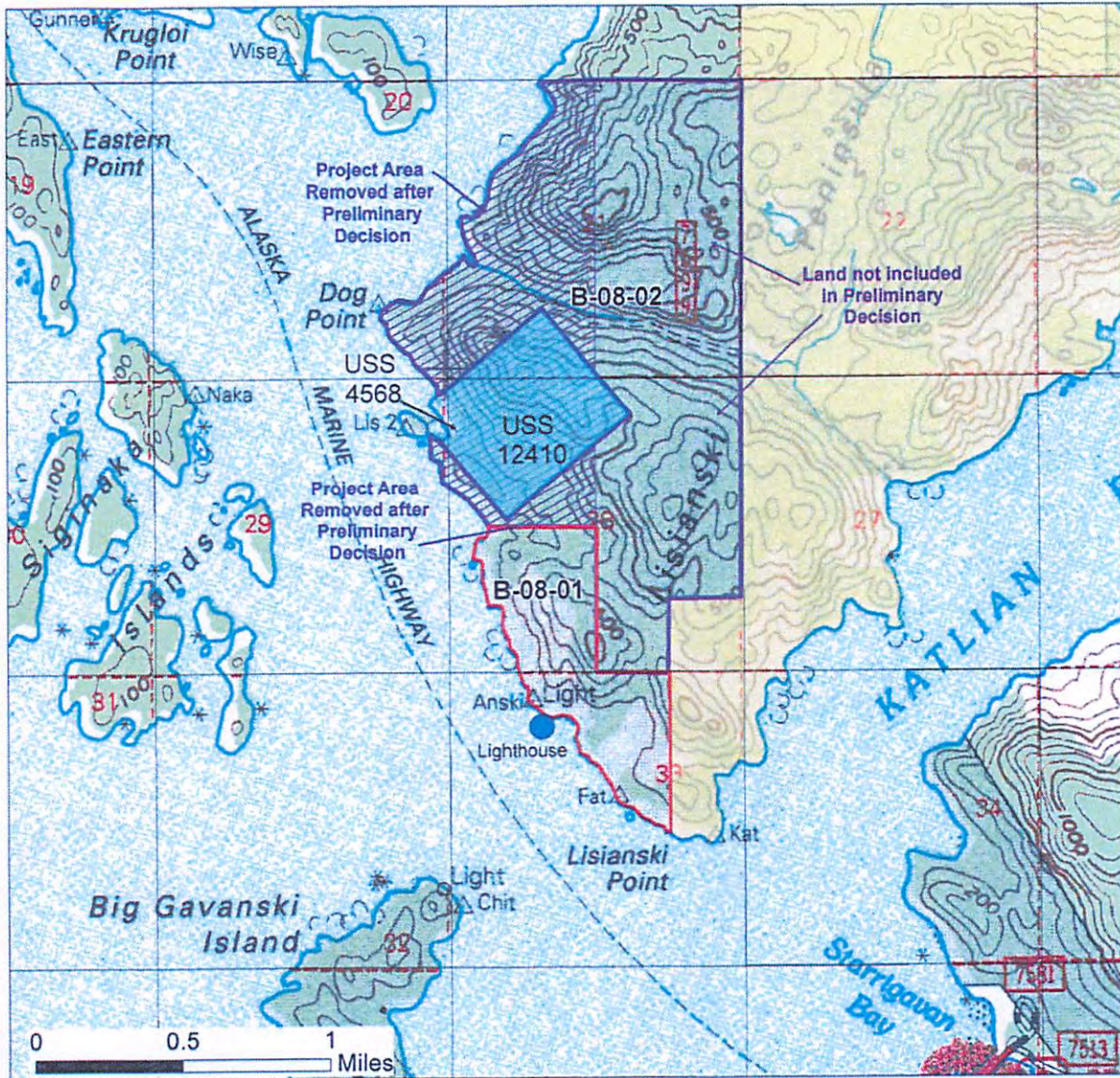
Little Gavanski Island

CBS PCDD
Zoning Map Amendment
ASLS 15-06



Attachment 1- Amended Vicinity Map

to the Final Finding and Decision for a
Proposed Land Offering in the City and Borough of Sitka
Nakwasina Sound Subdivision - ADL - 108062



hbf 1/20/2015

- Private Property
- B-08-02 Area
- Removed from Project Area
- Project Area, B-08-01
- Mental Health Trust Land

USGS Quad 1:63,360
Sitka A-5
For more information, contact:
Blair French
State of Alaska - DNR
Division of Mining, Land, and Water
3700 Airport Way
Fairbanks, AK 99709
Phone: (907)451-3011
FAX: (907)451-2751
Email: subdivisionsales@alaska.gov

This map is for graphic representation only. It is intended to be used as a guide only, and may not show the exact location of all existing easements, reservations, and third party interests.

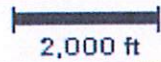


CBS PCDD
 Zoning Map Amendment
 ASLS 15-06

Land Estate C.R.M., T. 54 S., R. 63 E.

Alaska Mapper

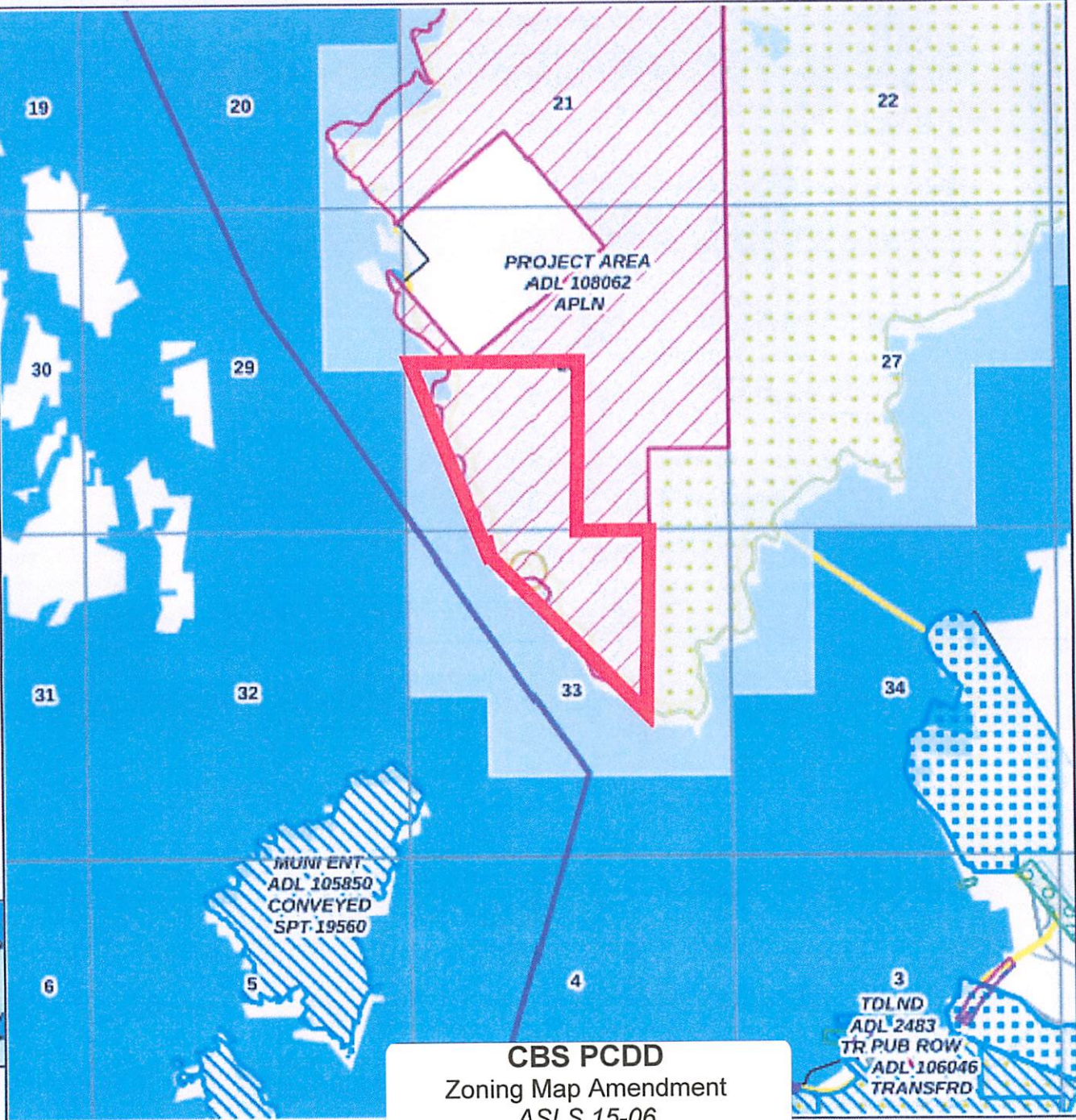
Spherical Mercator WGS 84 - EPSG:3857



- Land Disposal Other
- ✓ Land Disposal Other
- ☒ Land Disposal Other
- Easements
- ✓ Easement
- ☒ Easement
- PLSS Sections
- ☒ Other Activities
- Other Activities
- Other Activities
- Agmt. Sttlmt. Rcvynce
- Agmt. Sttlmt. Rcvynce
- Agmt. Sttlmt. Rcvynce
- ☒ Permit or Lease
- ✓ Permit or Lease
- Permit or Lease
- ☒ Municipal Entitlement
- ✓ Federal Actions
- Federal Actions
- Land Disposal Available
- ✓ Land Disposal Available
- ☒ Land Disposal Available
- Land Disposal Conveyed
- ✓ Land Disposal Conveyed
- ☒ Land Disposal Conveyed
- ☒ Management Agreement
- ✓ Management Agreement
- Mental Health Trust Land
- ☒ Municipal Tideland
- Native Allotment
- Other Acquired Land
- Other Acquired Land
- OSJ 490 School Trust Land-Other Acquired Lands
- ☒ Resource Sale
- ✓ Resource Sale
- RS2477
- Tentative Approval or Patent
- Tentative Approval or Patent
- School Trust Lands-St Tentative App or Patent
- ☒ Boroughs
- ☒ Recording Districts
- ☒ Survey Boundary
- Survey Boundary
- Survey Boundary
- ☒ Township



GRAPHIC ILLUSTRATION ONLY.
SOURCE DOCUMENT REMAINS THE OFFICIAL RECORD.
Date Created: Wednesday, April 15, 2015
Created By: edkleweno



CBS PCDD
Zoning Map Amendment
ASLS 15-06

Mineral Map C.R.M., T. 54 S., R. 63 E.

Alaska Mapper

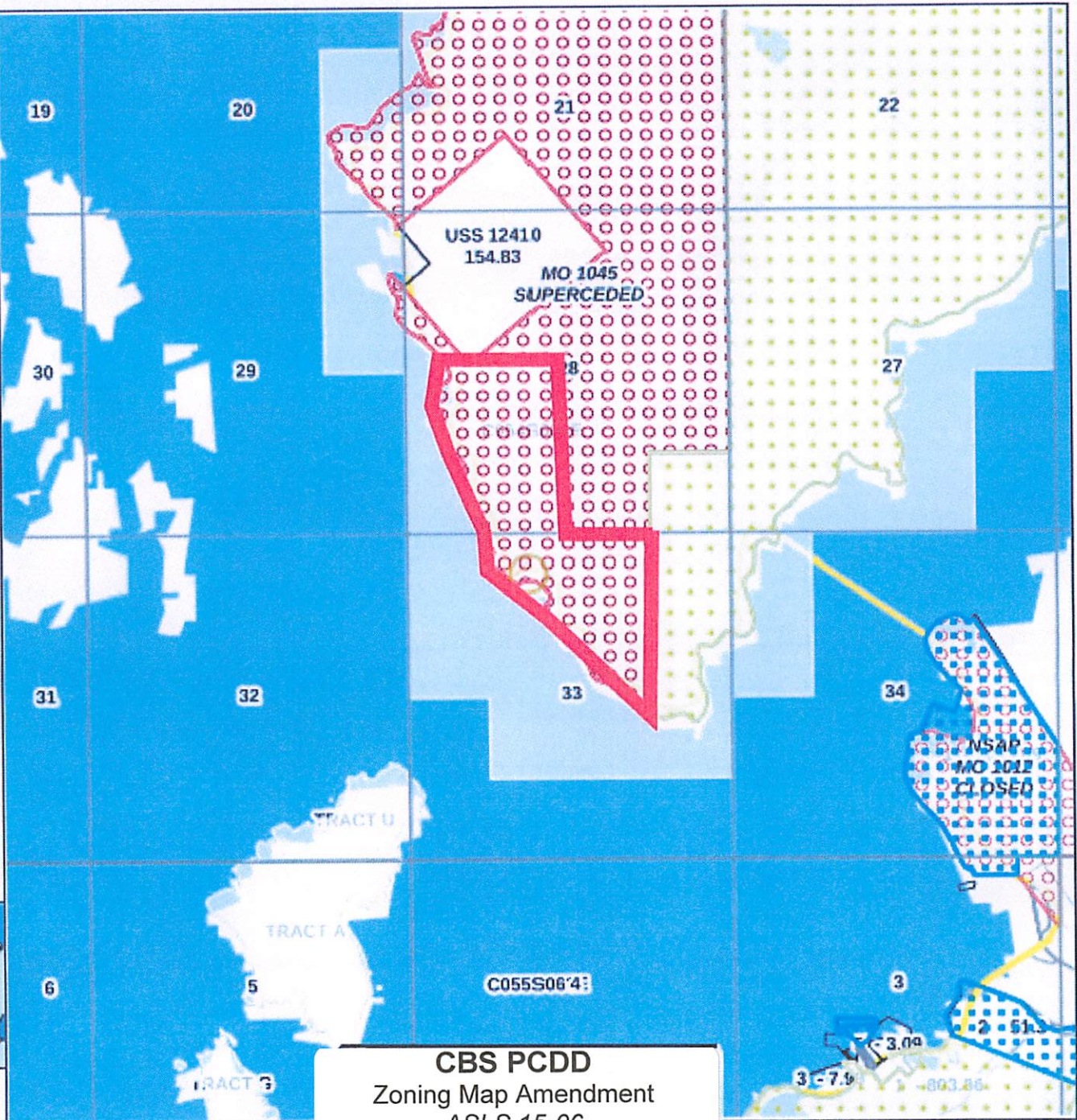
Spherical Mercator WGS 84 - EPSG:3857

2,000 ft

- PLSS Sections
- Agrmnt, Sttlmnt, Rcnvynce
- Agrmnt, Sttlmnt, Rcnvynce
- Agrmnt, Sttlmnt, Rcnvynce
- APMA
- Federal Mining Claims
- Federal Actions
- Federal Actions
- Lease Hold
- Lease Hold
- Management Agreement
- Management Agreement
- Mental Health Trust Land
- Mineral Order
- Native Allotment
- Other Acquired Land
- Other Acquired Land
- Permit or Lease
- Permit or Lease
- State Claims
- Prospecting Site
- State Selected
- Tentatively Approved or Patented
- Tentatively Approved or Patented
- Well Site
- Boroughs
- Recording Districts
- Survey Boundary
- Survey Boundary
- Survey Boundary
- Township



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Date Created: Wednesday, April 15, 2015
Created By: edkleweno



CBS PCDD
Zoning Map Amendment
ASLS 15-06

Ownership Map C.R.M., T. 54 S., R. 63 E.

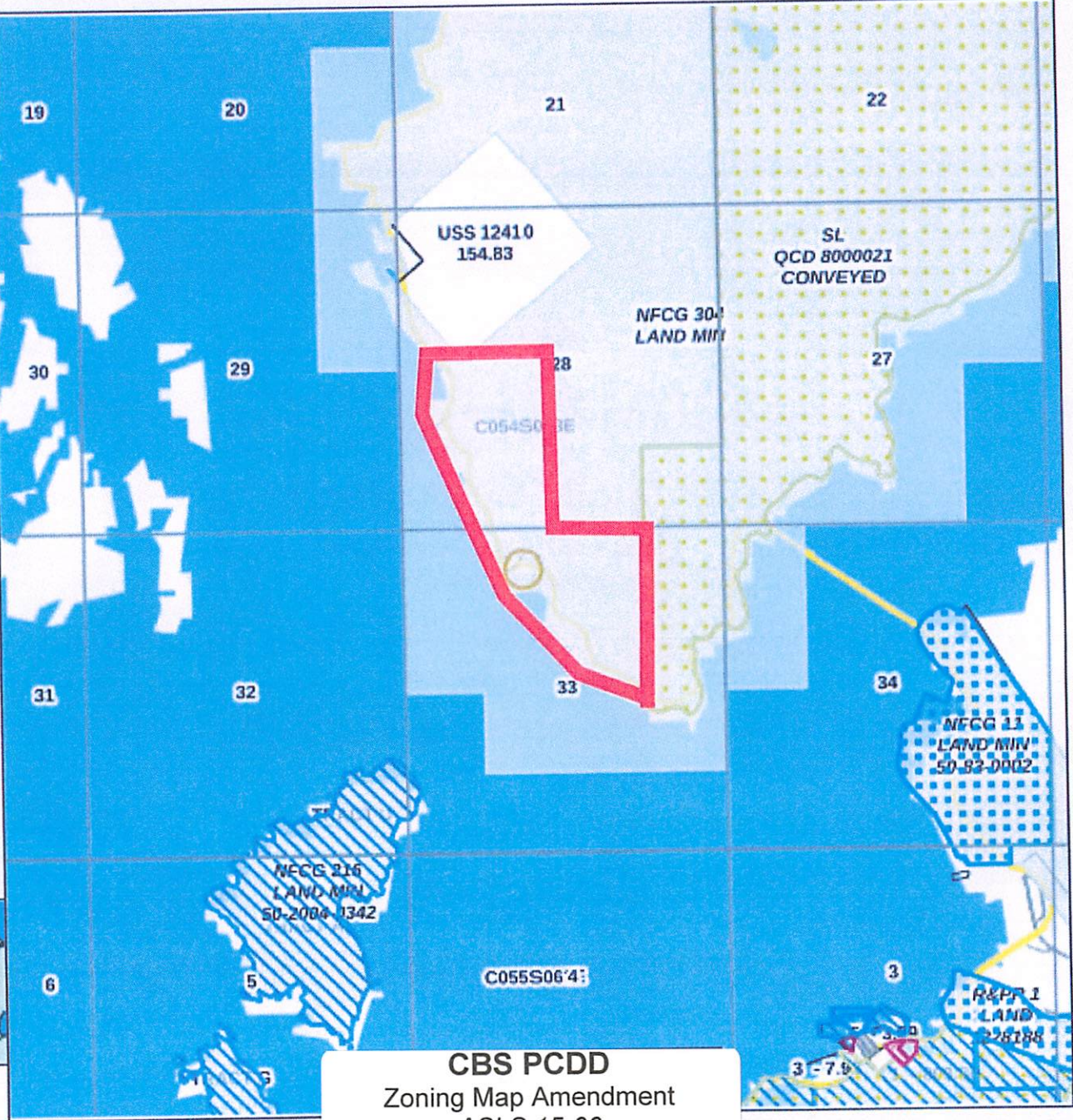
Alaska Mapper
Spherical Mercator WGS 84 - EPSG:3857

2,000 ft

- PLSS Sections
- Agrmnt, Sttlmnt, Rcnvynce
- Agrmnt, Sttlmnt, Rcnvynce
- Agrmnt, Sttlmnt, Rcnvynce
- Federal Actions
- Federal Actions
- Land Disposal Conveyed
- Land Disposal Conveyed
- Land Disposal Conveyed
- Management Agreement
- Management Agreement
- Mental Health Trust Land
- Municipal Entitlement
- Municipal Tideland
- Native Allotment
- Other Acquired Land
- Other Acquired Land
- OSL 490 School Trust Land-Other Acquired Lands
- RS2477
- State Selected
- State Selected
- State Tentative Approval or Patent
- State Tentative Approval or Patent
- School Trust Lands-St Tentative App or Patent
- Boroughs
- Recording Districts
- Survey Boundary
- Survey Boundary
- Survey Boundary
- Township



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Date Created: Wednesday, April 15, 2015
Created By: edkleweno

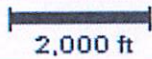


CBS PCDD
Zoning Map Amendment
ASLS 15-06

TOPO C.R.M., T. 54 S., R. 63 E.

Alaska Mapper

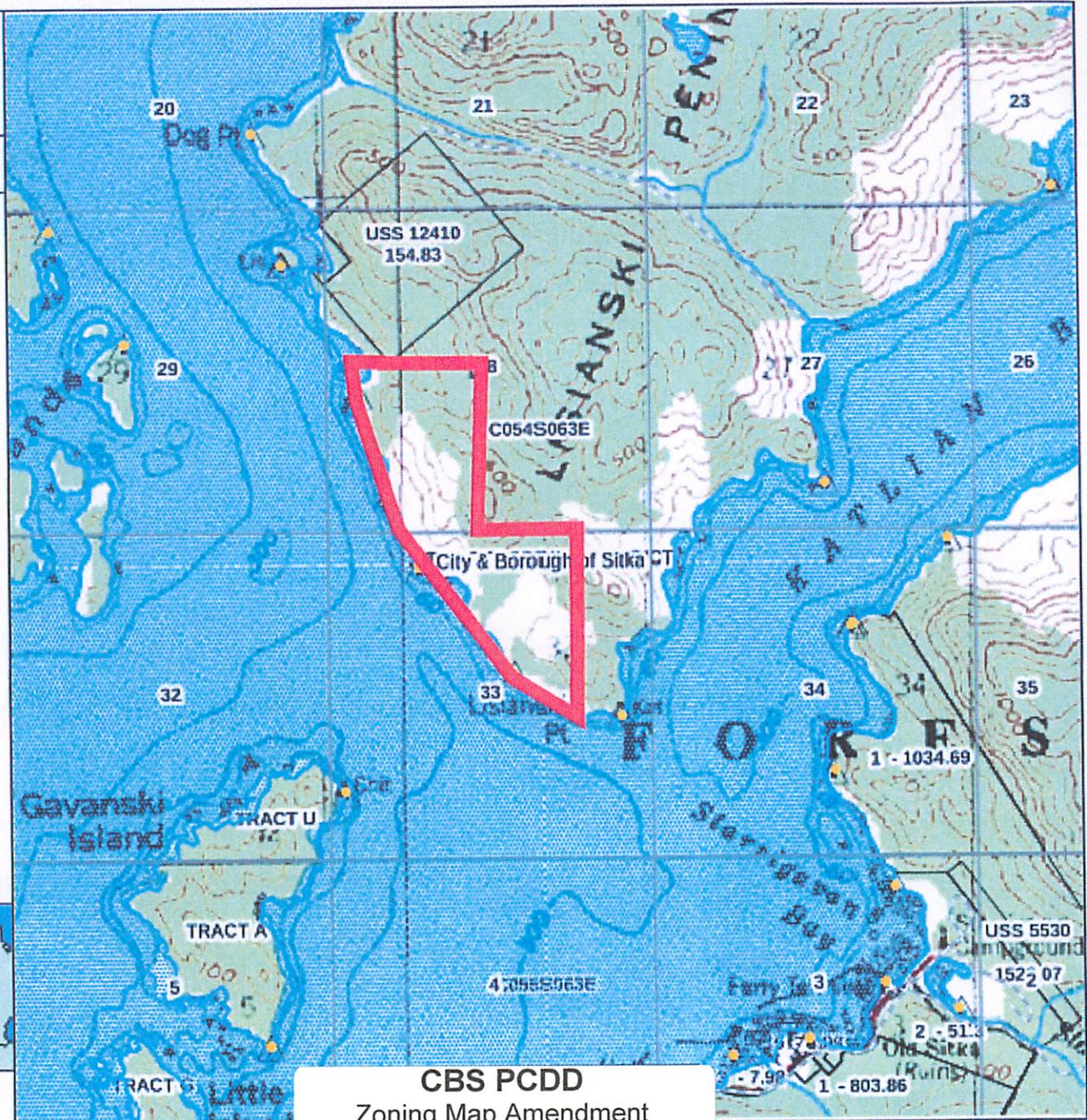
Spherical Mercator WGS 84 - EPSG:3857



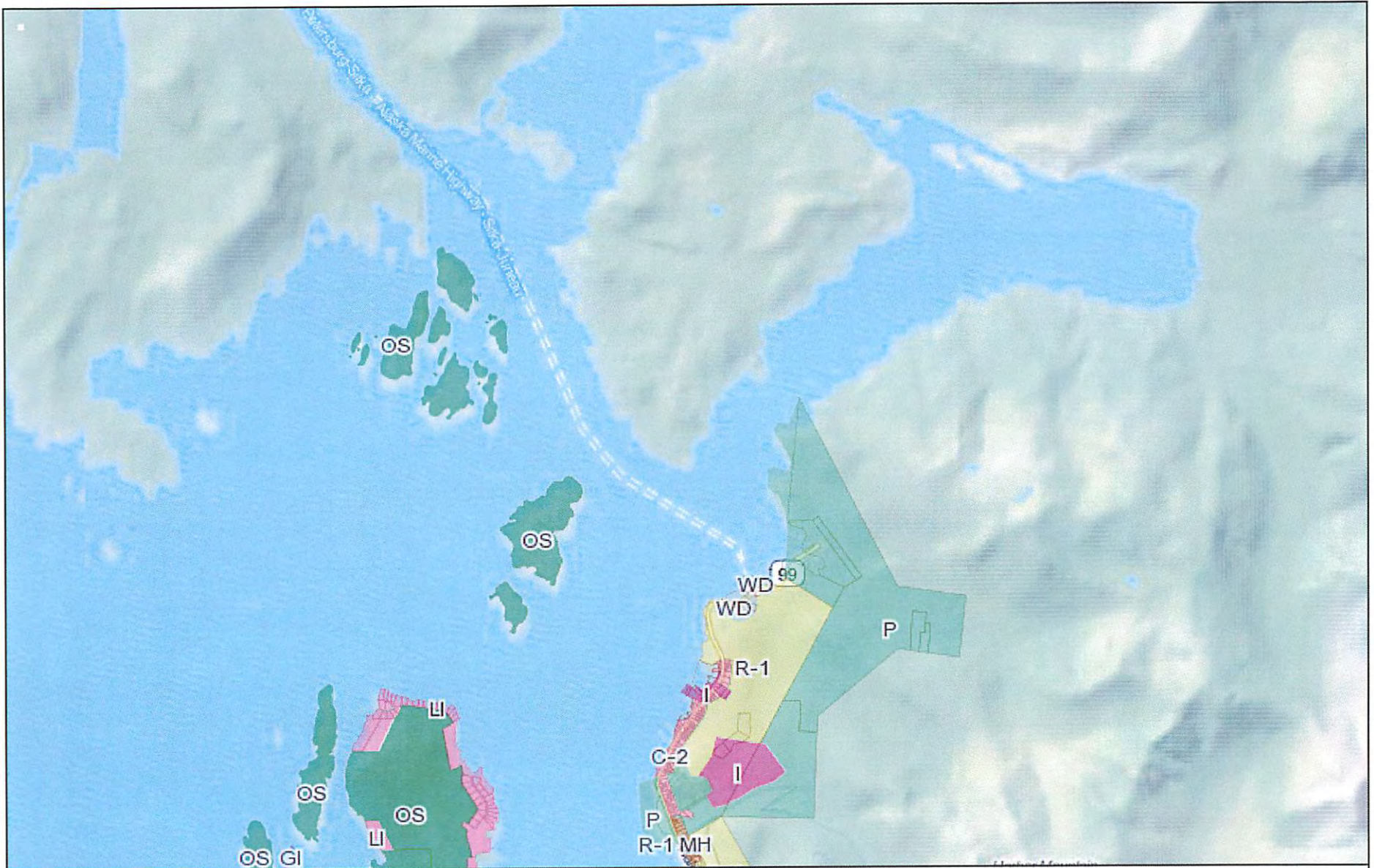
- PLSS Sections
- Alaska Seaward Boundary
- ASB - Disputed
- BLM Monument
- Boroughs
- Incorporated Cities
- Control Monuments
- Hydrology
- Hydrology
- Airstrips
- Airstrips
- Electrical
- Highways
- Pipeline
- Railroad
- Secondary Roads
- Telephone
- Trails
- National Geodetic Survey
- Township
- Recording Districts
- Survey Boundary
- Survey Boundary
- Survey Boundary



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SOURCE DOCUMENT REMAINS THE OFFICIAL RECORD.
Date Created: Wednesday, April 15, 2015
Created By: edkleweno



CBS PCDD
Zoning Map Amendment
ASLS 15-06



City & Borough of Sitka, Alaska

Printed on 4/1/2016 from <http://www.mainstreetmaps.com/ak/sitka/internal.asp>



This map is for informational purposes only. It is not for appraisal of, description of, or conveyance of land.

Global Positioning Services

Major Subdivision Request
ASLS 2015-06 - Lisianski
Peninsula

MainStreetGIS, LLC assumes no legal responsibility for the information contained herein.

NOTES

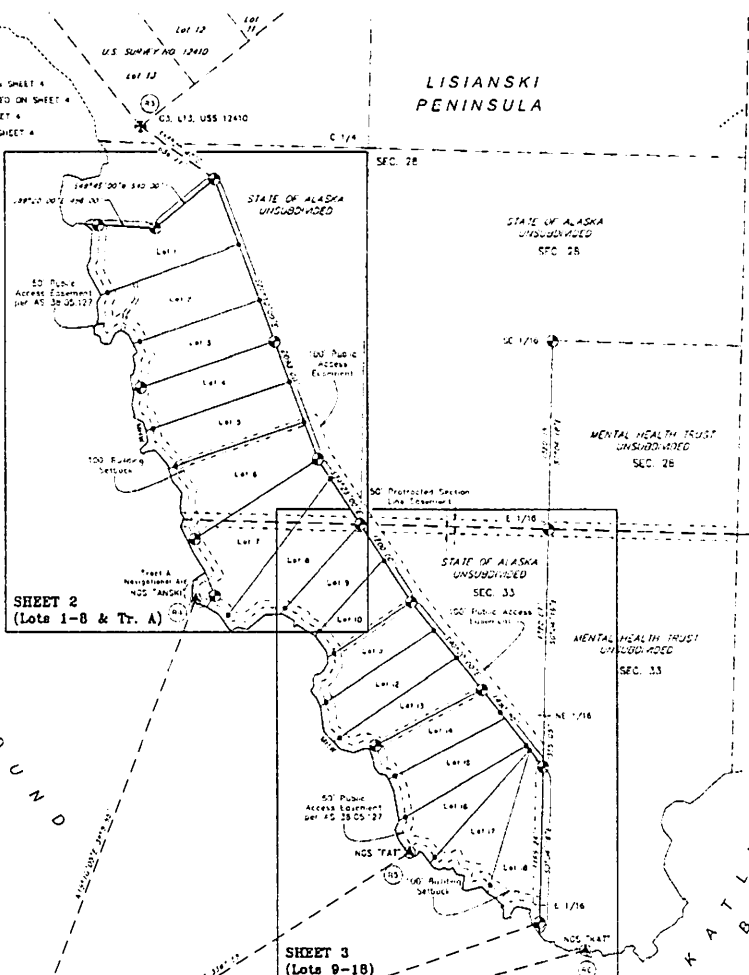
- 1. THIS SURVEY WAS ACCOMPLISHED IN ACCORDANCE WITH AS 38:04:045, GSC 807, AND 55:2015-06.
2. ALL BEARINGS SHOWN ARE TRUE BEARINGS AS ORIENTED TO THE MARKS OF BEARING AND DISTANCES ARE REDUCED TO HORIZONTAL FIELD DISTANCES.
3. THE ERROR OF CLOSURE OF THIS SURVEY DOES NOT EXCEED 1:5000, AND/OR CORNER POSITIONS HAVE A RELATIVE POSITIONAL ACCURACY AT THE 95 PERCENT CONFIDENCE LEVEL OF 0.13 FEET PLUS 100 PPM.
4. ALL PARCELS OF LAND OWNED BY THE STATE OF ALASKA LOCATED WITHIN 500 FEET OF, OR INTERSECTED BY A SURVEYED OR PROTRACTED SECTION LINE, ARE SUBJECT TO A 50-FOOT (50') EASEMENT ON EACH SIDE OF THE SECTION LINE, WHICH IS RESERVED TO THE STATE OF ALASKA FOR PUBLIC HIGHWAYS UNDER AS 19:10:010.
5. THE BASIS OF BEARINGS FOR THIS PLAT WAS DETERMINED BY HIGH PRECISION GLOBAL NAVIGATION SATELLITE SYSTEM TECHNOLOGY IN 2015 (EPOCH: 2010.0000) DATUM, USING TRIMBLE HE AND HE CARVER TRIMBLE RECEIVERS, DIFFERENTIALLY CORRECTED AND PROCESSED USING TRIMBLE BUSINESS CENTER SOFTWARE, VERSION 2.11. LOCAL PLATE BEARINGS ARE ORIENTED TO TRUE GEODETIC NORTH AT NATIONAL GEODETIC SURVEY CONTROL MONUMENT "CHIT" (MONUMENT #1) OF THIS SURVEY.
6. THE SHOWN RECORD COORDINATES ARE FROM NATIONAL GEODETIC SURVEY, NATIONAL OCEANIC & ATMOSPHERIC ADMINISTRATION CONTROL MONUMENT "CHIT". THIS MONUMENT IS DESIGNATED #1 OF THIS SURVEY. THESE COORDINATES WERE HELD AND USED TO COMPUTE THE PROTRACTED POSITIONS OF THE RECTANGULAR (SCHEMATIC QUANTER & SEVENTH) CORNERS THE FOUND AND BE (2015) COORDINATES (EPOCH: 2010.0000) AND BASED ON AN OPEN SOLUTION (EPOCH: 2010.0000) FOR NOS "CHIT" AND USED FOR VERIFICATION ONLY OF THE LOCATION. THE COORDINATES WERE CONstrained TO THE NATIONAL SPATIAL REFERENCE SYSTEM USING THE CORS REFERENCE STATIONS: HORTALEFAAR0005 CORS ARP (PD 8096993), JANEAU WAAS 1 CORS ARP (PD 8094367), AND LAMPHUCNEAR2007 CORS ARP (PD 8097440).
7. THE NATURAL MEANDERS OF THE LINE OF MEAN HIGH WATER (MHW) FORM THE TRUE BOUNDS OF LOTS 1-19 AND TRACT A. THE APPROXIMATE LINE OF MHW, AS SHOWN, IS FOR AREA COMPUTATIONS ONLY, WITH THE TRUE CORNERS BEING ON THE EXTENSION OF THE SECTIONS AND THEIR INTERSECTION WITH THE NATURAL MEANDERS.
8. THERE IS A 100-FOOT WIDE BUILDING SETBACK FROM THE MEAN HIGH WATER LINE OF SITKA SOUND.
9. ALASKA REGISTERED LAND SURVEYORS AND THEIR EMPLOYEES HAVE ACCESS RIGHTS FOR SURVEY PURPOSES TO NOS MONUMENTS, MARKS, TIES, AND THEIR REFERENCE OBJECTS. THE OWNER OR SUCCESSOR IN TITLE SHALL PROVIDE ACCESS TO AND PRESERVE THE LOCATION OF THE MONUMENTS AND REFERENCES.
10. THE MUNICIPALITY IS PARTY TO ALL EASEMENTS AND PLAT NOTES. THEY SHALL NOT BE MODIFIED WITHOUT APPROVAL OF THE PLATING BOARD.

LEGEND:

- Primary Monument Recovered This Survey as Noted on Sheet 4
Geodetic Control Monument Recovered This Survey as Noted on Sheet 4
Primary Monument to be Set This Survey as Noted on Sheet 4
Secondary Monument to be Set This Survey as Noted on Sheet 4
Surveyed Lines
Unsurveyed
Monument Identifier
Mean High Water

Table with 2 columns: ACRES, TOTAL. Rows list lots 1 through 19 and Tract A, with a total of 122.35 acres.

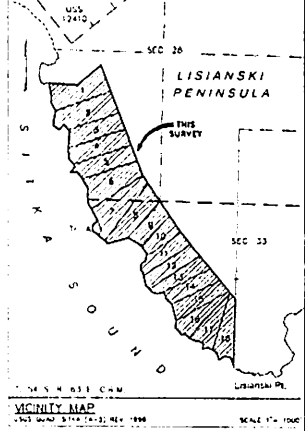
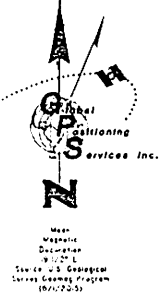
SITKA SOUND



SHEET 2 (Lots 1-8 & Tr. A)

SHEET 3 (Lots 9-18)

LISIANSKI PENINSULA



CERTIFICATION OF APPROVAL BY THE PLANNING COMMISSION

I HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION REGULATIONS OF THE CITY AND BOROUGH OF SITKA, ALASKA, AND THAT SAID PLAT HAS BEEN APPROVED BY THE BOARD OF PLAT REGULATION AND DATED... AND THAT THE PLAT SHOWN HEREON HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE DISTRICT COURT, EX OFFICIO RECORDER, SITKA, ALASKA.

DATE: CHAIRMAN, PLANNING COMMISSION

SECRETARY

CERTIFICATION OF PAYMENT OF TAXES

I, THE UNDERSIGNED, BEING DULY APPOINTED AND QUALIFIED, AND ACTING ASSESSOR FOR THE CITY AND BOROUGH OF SITKA, DO HEREBY CERTIFY THAT, ACCORDING TO THE RECORDS OF THE CITY AND BOROUGH OF SITKA, THE FOLLOWING DESCRIBED PROPERTY IS CARRIED ON THE TAX RECORDS IN THE NAME OF... AND THAT, ACCORDING TO THE RECORDS IN MY POSSESSION, ALL TAXES ASSESSED AGAINST SAID LANDS AND IN FAVOR OF THE CITY AND BOROUGH OF SITKA ARE PAID IN FULL, THAT CURRENT TAXES FOR THE YEAR... WILL BE PAID ON OR BEFORE...

DATED THIS... DAY OF... AT SITKA, ALASKA

ASSESSOR CITY AND BOROUGH OF SITKA

CERTIFICATION OF APPROVAL BY THE ASSEMBLY

I HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION REGULATIONS OF THE CITY AND BOROUGH OF SITKA, AND THAT SAID PLAT HAS BEEN APPROVED BY THE ASSEMBLY AS RECORDED IN VOLUME BOOK... PAGE... DATED... AND THAT THE PLAT SHOWN HEREON HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE DISTRICT COURT, EX OFFICIO RECORDER, SITKA, ALASKA.

DATE MAYOR

MUNICIPAL CLERK

CERTIFICATE OF PAYMENT OF LOCAL IMPROVEMENT DISTRICT

I, THE UNDERSIGNED, BEING DULY APPOINTED AND QUALIFIED, AND ACTING FINANCIAL DIRECTOR FOR THE CITY AND BOROUGH OF SITKA, DO HEREBY CERTIFY THAT, ACCORDING TO THE RECORDS OF THE CITY AND BOROUGH OF SITKA, THE FOLLOWING DESCRIBED PROPERTY IS CARRIED ON THE RECORDS IN THE NAME OF... STATE OF ALASKA AND THAT, ACCORDING TO THE RECORDS IN MY POSSESSION, ALL LID 3 ASSESSMENTS AGAINST SAID LANDS AND IN FAVOR OF THE CITY AND BOROUGH OF SITKA ARE PAID IN FULL.

DATED THIS... DAY OF... AT SITKA, ALASKA

FINANCIAL DIRECTOR CITY AND BOROUGH OF SITKA



Table with 2 columns: Record, NAD 83, NAD 27. Rows list monument coordinates for CHIT and other points.



SURVEYOR'S CERTIFICATE I HEREBY CERTIFY THAT I AM PROPERLY REGISTERED AND LICENSED TO PRACTICE LAND SURVEYING IN THE STATE OF ALASKA. THAT THIS PLAT REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION, THAT THE MONUMENTS SHOWN HEREON ACTUALLY EXIST AS DESCRIBED, AND THAT ALL DIMENSIONS AND OTHER DETAILS ARE CORRECT.

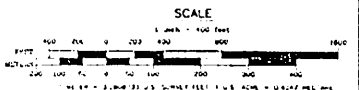
DATE: GREGORY A. VALIGAN REGISTERED LAND SURVEYOR NO. 15-12278

CERTIFICATE OF OWNERSHIP AND DEDICATION I, THE UNDERSIGNED, BEING DULY APPOINTED AND QUALIFIED, AS THE DIRECTOR, DIVISION OF MINING, LAND AND WATER AND THAT THE STATE OF ALASKA IS THE OWNER OF ASL 2015-006, AS SHOWN HEREON, I HEREBY AFFIRM THAT THIS SURVEY AND PLAT FOR THE STATE OF ALASKA AND DEDICATE FOR PUBLIC USE PRIVATE USE, AS NOTED, ALL EXISTING PUBLIC UTILITY AREAS, AND RIGHTS-OF-WAY AS SHOWN AND DESCRIBED HEREON.

DATE: SHEET 2, GREGORY A. VALIGAN DIRECTOR DIVISION OF MINING, LAND AND WATER SEC. 8 7TH AVE., 6A, 1E 1270 ANCHORAGE, AK 99501 3579

NOTARY'S ACKNOWLEDGEMENT SUBSCRIBED AND SIGNED TO RETU... DAY OF... 20... FOR...

NOTARY PUBLIC FOR ALASKA MY COMMISSION EXPIRES...

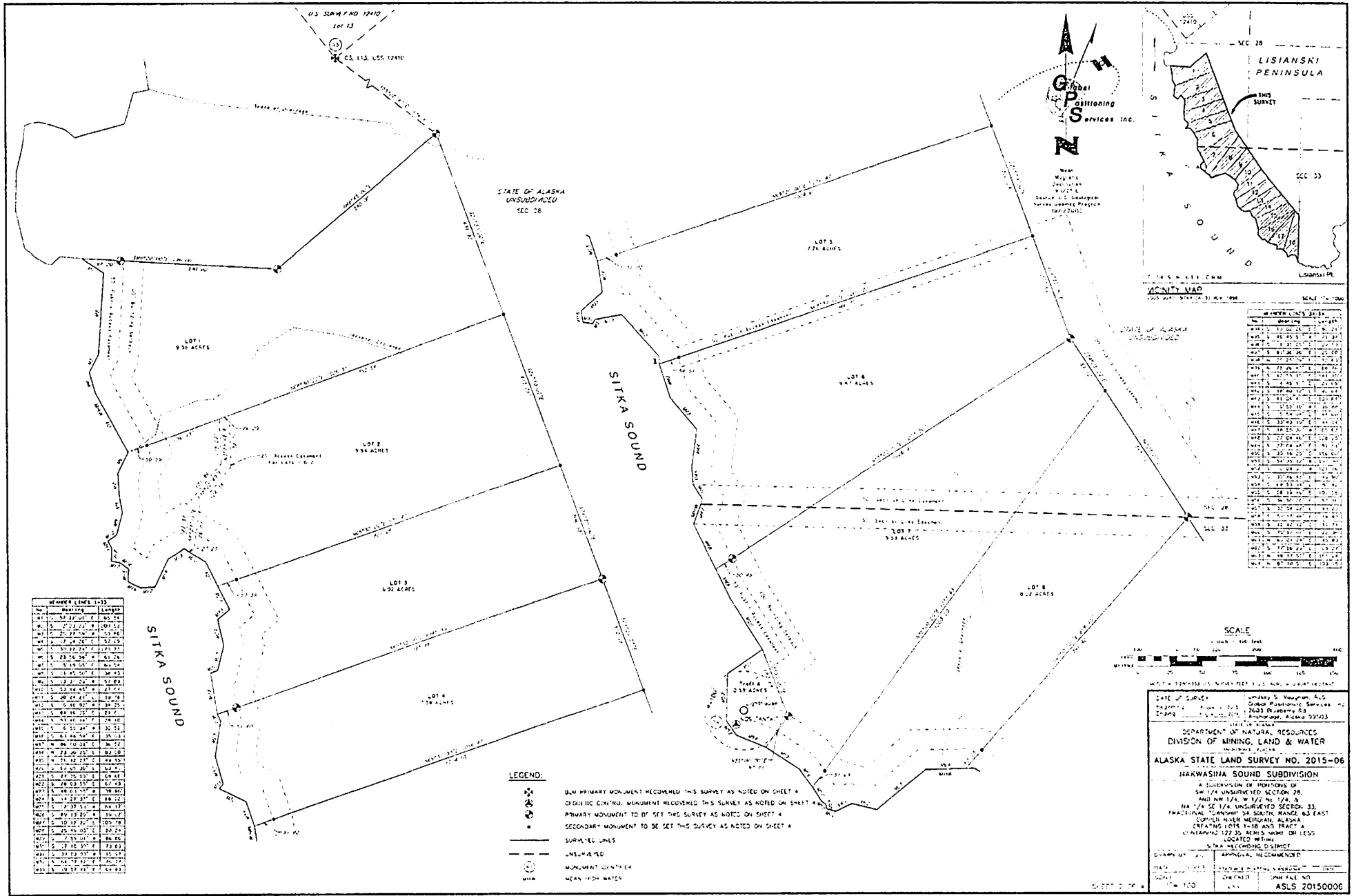


DATE OF SURVEY: LINDSEY S. HANSON, NLS Surveying August 6, 2015 1 Global Positioning Services, Inc. 2803 Rutherford Rd Anchorage, Alaska 99503

DEPARTMENT OF NATURAL RESOURCES DIVISION OF MINING, LAND & WATER WASHINGTON, ALASKA

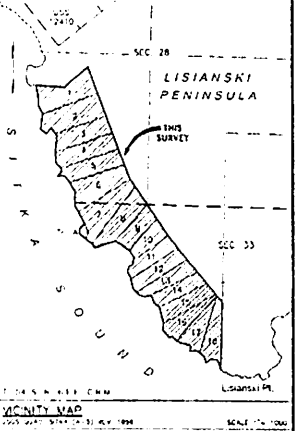
ALASKA STATE LAND SURVEY NO. 2015-006 NAKWASINA SOUND SUBDIVISION A SUBDIVISION OF PORTIONS OF SW 1/4 UNRESERVED SECTION 28, AND NW 1/4, N 1/2 N 1/4, E 1/2 N 1/4, E 1/2 NE 1/4, UNRESERVED SECTION 33 FRACTIONAL TOWNSHIP 34 SOUTH, RANGE 63 EAST CANTON RIVER MIDDLEM, ALASKA CREATING LOTS 1-18 AND TRACT A (CONTAINING 122.35 ACRES MORE OR LESS LOCATED WITHIN SITKA RECORDING DISTRICT

DRAWN BY: J... APPROVAL RECOMMENDED DATE: 5/23/16 SHEET 2 OF 4 SCALE: 1" = 400' CHECKED: J... DATE: 5/23/16 ASL 20150006



U.S. SURV. F. NO. 12410
1861 13
CS. 113. 155 12410

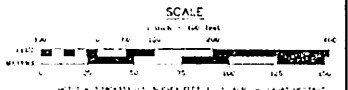
Global Positioning Services Inc.
Near Magnetic Declination
Source: U.S. Geologic Survey Geospatial Program
10/17/2005



NUMBER	BEARING	DISTANCE
101	S 75° 12' 00" E	85.74
102	S 75° 12' 00" E	85.74
103	S 75° 12' 00" E	85.74
104	S 75° 12' 00" E	85.74
105	S 75° 12' 00" E	85.74
106	S 75° 12' 00" E	85.74
107	S 75° 12' 00" E	85.74
108	S 75° 12' 00" E	85.74
109	S 75° 12' 00" E	85.74
110	S 75° 12' 00" E	85.74
111	S 75° 12' 00" E	85.74
112	S 75° 12' 00" E	85.74
113	S 75° 12' 00" E	85.74
114	S 75° 12' 00" E	85.74
115	S 75° 12' 00" E	85.74
116	S 75° 12' 00" E	85.74
117	S 75° 12' 00" E	85.74
118	S 75° 12' 00" E	85.74
119	S 75° 12' 00" E	85.74
120	S 75° 12' 00" E	85.74
121	S 75° 12' 00" E	85.74
122	S 75° 12' 00" E	85.74
123	S 75° 12' 00" E	85.74
124	S 75° 12' 00" E	85.74
125	S 75° 12' 00" E	85.74
126	S 75° 12' 00" E	85.74
127	S 75° 12' 00" E	85.74
128	S 75° 12' 00" E	85.74
129	S 75° 12' 00" E	85.74
130	S 75° 12' 00" E	85.74
131	S 75° 12' 00" E	85.74
132	S 75° 12' 00" E	85.74
133	S 75° 12' 00" E	85.74
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LEGEND:
 BLM PRIMARY MONUMENT RECOVERED THIS SURVEY AS NOTED ON SHEET 4
 CHERTIC CONTOUR MONUMENT RECOVERED THIS SURVEY AS NOTED ON SHEET 4
 PRIMARY MONUMENT TO BE SET THIS SURVEY AS NOTED ON SHEET 4
 SECONDARY MONUMENT TO BE SET THIS SURVEY AS NOTED ON SHEET 4
 SURVEY LINES
 UNSURVEYED LINES
 MONUMENT CENTER
 MEAN HIGH WATER

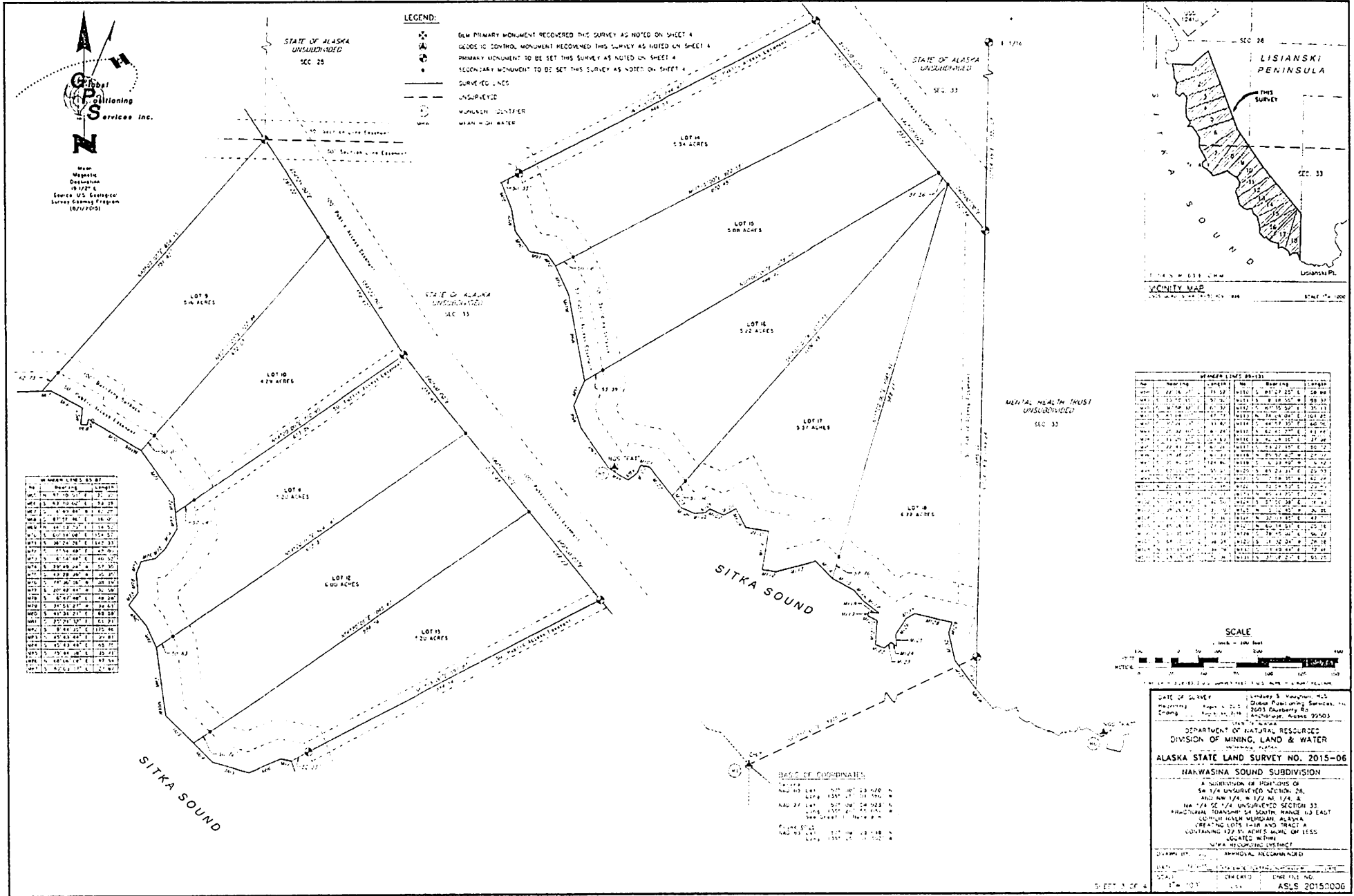
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DATE OF SURVEY: January 5, 2015
 PROJECT: 2015-06
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 SCALE: ASL 20150006

DEPARTMENT OF NATURAL RESOURCES
 DIVISION OF MINING, LAND & WATER
 ALASKA STATE LAND SURVEY NO. 2015-06
 HAKWASINA SOUND SUBDIVISION
 A SUBDIVISION OF PORTIONS OF
 SW 1/4 UNSUBDIVIDED SECTION 28
 AND NW 1/4, W 1/2 NE 1/4, N
 NE 1/4 SE 1/4, UNSUBDIVIDED SECTION 33,
 TRACTUAL TOWNSHIP 54 NORTH, RANGE 03 EAST
 COCKER HATER METEORIC ALASKA
 CREATING LOTS 1-10 AND TRACT A
 CONTAINING 122.35 ACRES MORE OR LESS
 LOCATED WITHIN
 SITKA BEACHING DISTRICT

ASL 20150006



WATER LINES BY

Lot	Bearing	Length
LOT 9	N 12° 10' 00" E	27.00
LOT 9	S 81° 10' 00" W	120.00
LOT 9	S 43° 44' 00" E	142.35
LOT 9	S 81° 10' 00" W	120.00
LOT 9	N 12° 10' 00" E	27.00
LOT 10	N 12° 10' 00" E	27.00
LOT 10	S 81° 10' 00" W	120.00
LOT 10	S 43° 44' 00" E	142.35
LOT 10	S 81° 10' 00" W	120.00
LOT 10	N 12° 10' 00" E	27.00
LOT 11	N 12° 10' 00" E	27.00
LOT 11	S 81° 10' 00" W	120.00
LOT 11	S 43° 44' 00" E	142.35
LOT 11	S 81° 10' 00" W	120.00
LOT 11	N 12° 10' 00" E	27.00
LOT 12	N 12° 10' 00" E	27.00
LOT 12	S 81° 10' 00" W	120.00
LOT 12	S 43° 44' 00" E	142.35
LOT 12	S 81° 10' 00" W	120.00
LOT 12	N 12° 10' 00" E	27.00
LOT 13	N 12° 10' 00" E	27.00
LOT 13	S 81° 10' 00" W	120.00
LOT 13	S 43° 44' 00" E	142.35
LOT 13	S 81° 10' 00" W	120.00
LOT 13	N 12° 10' 00" E	27.00
LOT 14	N 12° 10' 00" E	27.00
LOT 14	S 81° 10' 00" W	120.00
LOT 14	S 43° 44' 00" E	142.35
LOT 14	S 81° 10' 00" W	120.00
LOT 14	N 12° 10' 00" E	27.00
LOT 15	N 12° 10' 00" E	27.00
LOT 15	S 81° 10' 00" W	120.00
LOT 15	S 43° 44' 00" E	142.35
LOT 15	S 81° 10' 00" W	120.00
LOT 15	N 12° 10' 00" E	27.00
LOT 16	N 12° 10' 00" E	27.00
LOT 16	S 81° 10' 00" W	120.00
LOT 16	S 43° 44' 00" E	142.35
LOT 16	S 81° 10' 00" W	120.00
LOT 16	N 12° 10' 00" E	27.00
LOT 17	N 12° 10' 00" E	27.00
LOT 17	S 81° 10' 00" W	120.00
LOT 17	S 43° 44' 00" E	142.35
LOT 17	S 81° 10' 00" W	120.00
LOT 17	N 12° 10' 00" E	27.00

Lot	Bearing	Length	Bearing	Length
LOT 9	N 12° 10' 00" E	27.00	N 12° 10' 00" E	27.00
LOT 9	S 81° 10' 00" W	120.00	S 81° 10' 00" W	120.00
LOT 9	S 43° 44' 00" E	142.35	S 43° 44' 00" E	142.35
LOT 9	S 81° 10' 00" W	120.00	S 81° 10' 00" W	120.00
LOT 9	N 12° 10' 00" E	27.00	N 12° 10' 00" E	27.00
LOT 10	N 12° 10' 00" E	27.00	N 12° 10' 00" E	27.00
LOT 10	S 81° 10' 00" W	120.00	S 81° 10' 00" W	120.00
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LOT 10	S 81° 10' 00" W	120.00	S 81° 10' 00" W	120.00
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LOT 11	S 81° 10' 00" W	120.00	S 81° 10' 00" W	120.00
LOT 11	S 43° 44' 00" E	142.35	S 43° 44' 00" E	142.35
LOT 11	S 81° 10' 00" W	120.00	S 81° 10' 00" W	120.00
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LOT 12	N 12° 10' 00" E	27.00	N 12° 10' 00" E	27.00
LOT 12	S 81° 10' 00" W	120.00	S 81° 10' 00" W	120.00
LOT 12	S 43° 44' 00" E	142.35	S 43° 44' 00" E	142.35
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LOT 13	S 43° 44' 00" E	142.35	S 43° 44' 00" E	142.35
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LOT 14	S 81° 10' 00" W	120.00	S 81° 10' 00" W	120.00
LOT 14	N 12° 10' 00" E	27.00	N 12° 10' 00" E	27.00
LOT 15	N 12° 10' 00" E	27.00	N 12° 10' 00" E	27.00
LOT 15	S 81° 10' 00" W	120.00	S 81° 10' 00" W	120.00
LOT 15	S 43° 44' 00" E	142.35	S 43° 44' 00" E	142.35
LOT 15	S 81° 10' 00" W	120.00	S 81° 10' 00" W	120.00
LOT 15	N 12° 10' 00" E	27.00	N 12° 10' 00" E	27.00
LOT 16	N 12° 10' 00" E	27.00	N 12° 10' 00" E	27.00
LOT 16	S 81° 10' 00" W	120.00	S 81° 10' 00" W	120.00
LOT 16	S 43° 44' 00" E	142.35	S 43° 44' 00" E	142.35
LOT 16	S 81° 10' 00" W	120.00	S 81° 10' 00" W	120.00
LOT 16	N 12° 10' 00" E	27.00	N 12° 10' 00" E	27.00
LOT 17	N 12° 10' 00" E	27.00	N 12° 10' 00" E	27.00
LOT 17	S 81° 10' 00" W	120.00	S 81° 10' 00" W	120.00
LOT 17	S 43° 44' 00" E	142.35	S 43° 44' 00" E	142.35
LOT 17	S 81° 10' 00" W	120.00	S 81° 10' 00" W	120.00
LOT 17	N 12° 10' 00" E	27.00	N 12° 10' 00" E	27.00

SCALE
1 inch = 200 feet

DATE OF SURVEY January 5, 2015
PREPARED BY Gregory S. Wainwright, P.E.
Checked by Robert J. Smith, P.E.
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF MINING, LAND & WATER
ALASKA STATE LAND SURVEY NO. 2015-06
HAWASINA SOUND SUBDIVISION
 A SUBDIVISION OF PORTIONS OF
 SW 1/4 UNSURVEYED SECTION 28,
 AND NW 1/4, W 1/2 NE 1/4, &
 NE 1/4 SE 1/4 UNSURVEYED SECTION 33,
 FRANCHISE TOWNSHIP 54 SOUTH RANGE 13 EAST
 COUNTY OF KENAI, ALASKA
 CONTAINING 137.31 ACRES MORE OR LESS
 LOCATED WITHIN
 WIPRA NECESSARY DISTRICT
 APPROVAL RECOMMENDED
 DRAWN BY: [Signature] DATE: [Date]
 CHECKED BY: [Signature] DATE: [Date]
 SCALE: ASLS 2015.0006

RECOVERED MONUMENTS

81 Recovered a Metal Rod, set flush with the rock in a 6" hole, with no cap, from which
 Evidence monuments of record exist and are in good condition
 Monument is located on the top of a steep rock ledge in the forest
 near the top of a steep hill. There is a horizontal nail with a
 few feet of the marker and sitting on top of the 6" PU



82 Recovered a Stainless Steel Nail, 2 1/2" in. diam.,
 with a 3/4" in. Brass Cap, Marked as shown, set flush with rock,
 from which
 Ground "rest of record" are shown in good condition. BT's were not
 measured due to a steep slope and distance along to more
 measurement possible. However, bearings were in agreement with
 notes
 SW 3" Spikes, with diameter inside marks
 for 2" diameter, and 2 1/2"



83 Recovered a Stainless Steel Nail, 2 1/2" in. diam.,
 with a 3/4" in. Brass Cap, Marked as shown
 projecting 1/4" out of the ground, from which the
 or ground bearing taken
 1. corner, NW 1/4 sec. Range 10 27' N., 2: 32 11' W.,
 with an 18" high stone marker
 (Marker N. 32 1/4" E., 2:10 11")
 2. square, 7' x 3' diam. corner 3 27' N., 12 7 11' W.
 with no height stone marker
 (Marker S. 42 1/4" E., 15:01 11")



84 Recovered a Bronze Disk, Marked as shown,
 set in bedrock on a point just above vegetation, and
 from which
 Evidence monuments of record were located and are
 in good condition

85 Found NGS FAT - on N in corner lead at top of steep rock,
 from which
 One of the Evidence monuments of record were located
 Other not found due to steep slope
 The monument location was not suitable for instrument
 setup.



86 Recovered a Bronze Disk, Marked as shown,
 set in bedrock on a rocky point, from which
 Evidence monuments of record were located and are
 in good condition

TYPICAL SET PRIMARY MONUMENT



Set a 2 1/2" aluminum cap on a
 2 1/2" aluminum post, 20' long,
 2 1/2" in dia. ground with
 a 3/4" hole in the center of the post
 in the base of the monument
 containing witness mark in the cap

TYPICAL SET SECONDARY MONUMENT



Set a 2 1/2" aluminum cap
 on a 3/4" hole, 20' long,
 2 1/2" in dia. ground with
 a 3/4" hole in the center of the
 post in the base of the monument

DATE OF SURVEY	Ernest S. Vaughan, NLS Ernest S. Vaughan, NLS 2603 Blueberry Rd Anchorage, Alaska 99503
DESIGNER	Ernest S. Vaughan
DEPARTMENT OF NATURAL RESOURCES DIVISION OF MINING, LAND & WATER	
ALASKA STATE LAND SURVEY NO. 2015-06	
NAKAWASINA SOUND SUBDIVISION	
A SUBDIVISION OF PORTIONS OF SW 1/4 UNSURVEYED SECTION 28, AND NW 1/4, W 1/2 NE 1/4, & NW 1/4 SE 1/4, UNSURVEYED SECTION 33, FRACATIONAL TOWNSHIP 24 SOUTH, RANGE 63 EAST COPPER RIVER MICHIGAN, ALASKA CREATING LOTS 1-18 AND TRACT A CONTAINING 122.33 ACRES MORE OR LESS LOCATED WITHIN	
STATE RECORDING DISTRICT	
DRAWN BY:	APPROVAL RECOMMENDED
DATE: 12/20/03	DATE: 12/20/03
SCALE: 1" = 100'	SCALE: 1" = 100'
	ASLS 20150006



CITY AND BOROUGH OF SITKA

Minutes - Final

Planning Commission

Chris Spivey, Chair
Darrell Windsor, Vice Chair
Tamie (Harkins) Parker Song
Debra Pohlman
Randy Hughey

Tuesday, July 19, 2016

7:00 PM

Sealing Cove Business Center

I. CALL TO ORDER AND ROLL CALL

Chair Spivey called the meeting to order at 7:01 PM.

II. CONSIDERATION OF THE AGENDA

Chair Spivey stated that he would need to recuse himself from Item I requested by Ida Eliason, and that a quorum for the item would not be met.

III. CONSIDERATION OF THE MINUTES

A Approval of the June 21, 2016 meeting minutes.

Pohlman/Parker Song moved to APPROVE the June 21, 2016 meeting minutes.
Motion PASSED 3-0.

IV. REPORTS

V. THE EVENING BUSINESS

B Planning Regulations and Procedures.

C Public hearing and consideration of a conditional use permit for a short term rental located on a boat in Crescent Harbor 1-24, 500 Lincoln Street, in the Public zone. The property is also known as a portion of ATS 15. The application is filed by Bruce and Ann-Marie Parker. The owner of record is the City and Borough of Sitka.

Item was not heard as applicants were not present.

D Public hearing and consideration of a conditional use permit for a short term rental located on a boat in Crescent Harbor 6-45, 500 Lincoln Street, in the Public zone. The property is also known as a portion of ATS 15. The application is filed by Tiffany Justice and Ben Timby. The owner of record is the City and Borough of Sitka.

Scarcelli explained the request for a short-term rental on a 24 foot sailboat.

Ultimately, conditional uses must not be detrimental to public health and safety. Scarcelli stated that the Fire Chief had some concerns for access in the event of an emergency. Spivey asked if the conditional use would run with the slip or the boat. Bosak stated that it would be similar to food truck approvals, and the permit is for this boat in this slip. Pohlman stated concern for parking near Crescent Harbor. Bosak stated that approvals are on a case-by-case basis. Bosak read a public comment from Marcia Strand against the proposal.

Tiffany Justice and Ben Timby stated that they want to offer a unique lodging experience through Airbnb. Justice stated that they have a fire extinguisher, carbon monoxide detector, and other safety items. Timby stated that they believe the majority of their renters will not rent cars, but that they will tell renters to park at Crescent Harbor. Timby stated that they will not leave candles or the stove on the boat. Timby stated that he has worked on boats since he was 18. Pohlman asked about emergency contacts for renters. Justice stated that they will make the rental unavailable when they are out of town. Timby stated that they will screen renters through Airbnb. Spivey asked about insurance. Timby stated that they do not currently have insurance, but he could add it to his policy.

Harbormaster Stan Eliason stated that there had previously been an agreement with Sheldon Jackson College to not allow liveaboards in Crescent Harbor, but liveaboards are now allowed. Eliason stated that this is a liveable boat. Pohlman asked about electrical usage. Eliason stated that electrical usage is under the jurisdiction of the Electric Department. Bosak stated that a condition of approval is that the boat is registered as a liveaboard and pay liveaboard fees.

Spivey stated that a condition should be that the owners get and maintain insurance. Parker Song asked if that is a condition for short-term rentals in homes. Bosak stated no, although owners typically have homeowners insurance. Municipal Attorney Brian Hansen stated that the city requires insurance when it contracts with outside entities. Hansen stated that he would need to conduct more research before determining if insurance can be a condition of approval. Parker Song stated that requirements for boat short-term rentals should be commensurate with short-term rentals on land. Pohlman stated that few short-term rentals are located on city property. Bosak recommended that the commission request that staff take another look at this request.

Peter Bradley stated that Airbnb requires that property owners have insurance. Timby stated that many boats are listed on Airbnb. Timby stated that he wants to do everything right.

Pohlman stated that she would like to see how other municipalities deal with boat short-term rentals before making a decision.

Parker Song/Pohlman moved to POSTPONE the item for staff and the applicants to provide additional information.

Motion PASSED 3-0.

E

Public hearing and consideration of a minor subdivision at 211 Shotgun Alley, zoned SFLD Single Family Low Density Residential. The subdivision would result in four lots. The property is also known as Lot 2

of Johnstone Subdivision Replat. The request is filed by Barth Hamberg. The owner of record is Barth Hamberg.

Scarcelli described the request for a four-lot subdivision. Covenants restrict subdivision of this lot to four lots, whereas zoning code would have allowed more lots. A drainage plan was provided, and CBS Public Works has approved the plan. US Army Corps of Engineers issued a de minimis waiver for wetlands. Spivey requested that CBS Municipal Engineer Dan Tadic explain the drainage findings in layman's terms. Tadic stated that the channel probably carried much more water in the past than it does today, and Sawmill Creek Road likely altered local drainage. Tadic stated that pre- and post-development drainage was calculated. Tadic stated that the drainage capacity on the applicant's property is more than sufficient. Tadic stated that the downhill property has created constraints with a manmade dam. Tadic stated that the report has met his requirements.

Barth Hamberg stated that he did not have anything to add. Spivey asked about housing sizes. Hamberg stated that he hasn't decided at this time. Bosak asked Hamberg to elaborate on the covenants. Hamberg stated that the previous owners wanted to ensure that the property was developed responsibly. Hamberg stated that the hydrologist who wrote the drainage report is very experienced and works for the US Forest Service. Pohlman stated concerns for responsible development. Hamberg stated that the deed restrictions would run with the land. Hamberg said that the property does not have an ocean or mountain view, but has a beautiful forest.

Lisa Busch stated that she lives directly below the proposed subdivision. Busch stated concern that a grading permit was granted before the subdivision process. Busch stated that the lots have already been developed and now it seems too late. Busch stated that code states that uphill developers needs to get an easement from the downhill owners. Busch asked the commission how they would protect property owners and preserve the character of the neighborhood.

Davey Lubin stated that he is a downhill property owner. Lubin believes the process is flawed, and that plans should be reviewed by licensed professionals before work can commence. Lubin stated that the drainage report was written by a non-engineer.

Pohlman asked if the drainage assessment was conducted before or after grading occurred. Tadic stated that the report considers the pre-development condition, but was conducted after grading. Pohlman asked if any similar data was conducted when preparing for the Benchlands. Tadic stated that assessments were conducted with different methodology, and this situation is much different than the Benchlands.

CBS Municipal Attorney Brian Hanson stated that the easement requirement only comes into play if the uphill owner develops an artificial drainage system. Hanson stated that the natural stream has not been altered. Hanson recommends that no drainage easement is required. Hanson stated that CBS staff required a drainage assessment and determined that no mitigation is required. Hanson stated that the proper procedure has been followed. Hanson stated that municipal code does not provide clear guidelines for what requires mitigation, but staff have used their professional opinions and past precedence. The uphill property owner has the right to use their property in a

way that does not unreasonably impact the downhill property.

Commission took a 5 minute break.

Scarcelli gave a recap of the proposed subdivision. Parker Song stated that she is inclined to grant the request. Pohlman stated a desire to reach a compromise between the property owners, although it seems that communications are constrained. Parker Song stated that she believes this proposal to be very different from the Benchlands area regarding topography and drainage. Spivey stated that some have said that the Benchlands development caused flooding issues on Sand Dollar Drive, although that has not been proven. Spivey stated that understood the drainage report to state that drainage concerns are caused by the downhill owners, not the applicant. Bosak stated that if an owner maintained the lot as a single-family property, development could impact drainage without a required drainage analysis.

Parker Song asked about requiring collaboration between the property owners. Spivey stated that the commission cannot require them to get along.

Pohlman/Parker Song moved to POSTPONE the item to a meeting when more commissioners are present.

Motion PASSED 3-0.

F

Public hearing and consideration of a conditional use permit application for a three-unit multiple-family structure and a short-term rental at 1715 Sawmill Creek Road, in the R-1 single family and duplex residential district. The property is also known as Lot 1A Corrective Plat of Knauss Lot Line Adjustment. The request is filed by Michael Knauss and Jacklynn Barmoy. The owners of record are Michael Knauss and Jacklynn Barmoy.

Scarcelli described the request for a triplex and a one-unit short-term rental. Both uses are conditional uses in the R-1 zone. The third unit has a complete kitchen and a separate entrance. The property has more than the six required parking spaces. The owners live in one unit, have long-term renters in the second unit, and plan to rent the third unit short-term. The applicants plan to use Airbnb to rent the unit, and will accept a maximum of two renters at a time.

Jacklynn Barmoy and Michael Knauss represented their request. Barmoy stated that she has consulted with the Building Official about occupancy requirements. Pohlman asked if neighbors had stated any concerns. Barmoy stated that the property is separated from neighbors by topography and trees.

No public comment.

Spivey stated that he has reservations due to traffic and creating precedence for triplex approvals. Bosak stated that at the last meeting, the commission approved an accessory dwelling unit with a duplex. Scarcelli stated that he had to be mindful to his speed when driving by the property, and that the commission could condition the installation of a mirror to improve visibility. Spivey asked who owns the property across the street, and Scarcelli confirmed that the applicants did. Knauss stated that there is good visibility both ways. Knauss said many people turn around on his property. Pohlman asked if there was enough space for a three-point turn for the short-term renters, and Barmoy stated that there is enough space. Spivey stated that he does not like lending

to common sense, and stated that future owners must be considered. Scarcelli stated that the Planning Commission can hold a hearing upon receipt of meritorious complaint.

Pohlman/Parker Song moved to APPROVE the required findings.

Required Findings for Conditional Use Permits. The planning commission shall not recommend approval of a proposed development unless it first makes the following findings and conclusions:

1. The city may use design standards and other elements in this code to modify the proposal. A conditional use permit may be approved only if all of the following findings can be made regarding the proposal and are supported by the record that the granting of the proposed conditional use permit will not:
 - a. Be detrimental to the public health, safety, and general welfare;
 - b. Adversely affect the established character of the surrounding vicinity; nor
 - c. Be injurious to the uses, property, or improvements adjacent to, and in the vicinity of, the site upon which the proposed use is to be located.
2. The granting of the proposed conditional use permit is consistent and compatible with the intent of the goals, objectives, and policies of the comprehensive plan and any implementing regulation.
3. All conditions necessary to lessen any impacts of the proposed use are conditions that can be monitored and enforced.
4. The proposed use will not introduce hazardous conditions at the site that cannot be mitigated to protect adjacent properties, the vicinity, and the public health, safety, and welfare of the community from such hazard.
5. The conditional use will be supported by, and not adversely affect, adequate public facilities and services; or that conditions can be imposed to lessen any adverse impacts on such facilities and services.
6. Burden of Proof. The applicant has the burden of proving that the proposed conditional use meets all of the criteria in subsection B of this section.

The city may approve, approve with conditions, modify, modify with conditions, or deny the conditional use permit. The city may reduce or modify bulk requirements, off-street parking requirements, and use design standards to lessen impacts, as a condition of the granting of the conditional use permit. In considering the granting of a conditional use, the assembly and planning commission shall satisfy themselves that the general criteria set forth for uses specified in this chapter will be met. The city may consider any or all criteria listed and may base conditions or safeguards upon them. The assembly and planning commission may require the applicant to submit whatever reasonable evidence may be needed to protect the public interest. The general approval criteria are as follows:

1. Site topography, slope and soil stability, geophysical hazards such as flooding, surface and subsurface drainage and water quality, and the possible or probable effects of the proposed conditional use upon these factors;
2. Utilities and service requirements of the proposed use, including sewers, storm drainage, water, fire protection, access and electrical power; the assembly and planning commission may enlist the aid of the relevant public utility officials with specialized knowledge in evaluating the probable effects of the proposed use and may consider the costs of enlarging, upgrading or extending public utilities in establishing conditions under which the conditional use may be permitted;
3. Lot or tract characteristics, including lot size, yard requirements, lot

coverage and height of structures;

4. Use characteristics of the proposed conditional use that affect adjacent uses and districts, including hours of operation, number of persons, traffic volumes, off-street parking and loading characteristics, trash and litter removal, exterior lighting, noise, vibration, dust, smoke, heat and humidity, recreation and open space requirements;

5. Community appearance such as landscaping, fencing and screening, dependent upon the specific use and its visual impacts.

Conclusion on Findings: That the proposed conditional use as conditioned would not be detrimental to the public's health, safety, or welfare; that the conditions of approval have satisfactorily mitigated any potential harm or impact to the surrounding land uses and properties; and that the required findings have been met.

Motion PASSED 3-0.

Pohlman/Parker Song moved to APPROVE the conditional use permit application for a three-unit multiple-family dwelling and a short term rental at 1715 Sawmill Creek Road, in the R-1 single family and duplex residential district subject to the nine conditions of approval. The property is also known as Lot 1A Corrective Plat of Knauss Lot Line Adjustment. The request is filed by Michael Knauss and Jacklynn Barmoy. The owners of record are Michael Knauss and Jacklynn Barmoy.

Conditions of Approval:

1. Contingent upon a completed satisfactory life safety inspection.
2. The facility shall be operated consistent with the application and plans that were submitted with the request.
3. The facility shall be operated in accordance with the narrative that was submitted with the application.
4. The applicant shall submit an annual report every year, covering the information on the form prepared by the Municipality, summarizing the number of nights the facility has been rented over the twelve month period starting with the date the facility has begun operation. The report is due within thirty days following the end of the reporting period.
5. The Planning Commission, at its discretion, may schedule a public hearing at any time for the purpose of resolving issues with the request and mitigating adverse impacts on nearby properties.
6. Failure to comply with all applicable tax laws, including but not limited to remittance of all sales and bed tax, shall be grounds for revocation of the conditional use permit.
7. Failure to comply with any of the above conditions may result in revocation of the conditional use permit.
8. The property owner shall register for a sales account prior to the Conditional Use Permit becoming valid.
9. Owners shall provide renters with a brief explanation of best traffic circulation patterns to mitigate any potential traffic impacts.

Motion PASSED 3-0.

G

Public hearing and consideration of a conditional use permit request for a daycare at 514 Halibut Point Road and 203 Lakeview Drive, in the R-1 zone. The property is also known as Lots 1, 2, 30, and 31 of Lakeview

Heights Subdivision. The request is filed by Emily Davis and Michelle Barker. The owner of record is First Baptist Church.

Parker Song/Pohlman moved to POSTPONE the item until the applicants commit to attending the hearing. Motion PASSED 3-0.

H

Public hearing and consideration of a conditional use permit major amendment request for a short-term rental at 304 Baranof Street, in the R-1 zone. The property is also known as Lot 1 Westover Subdivision. The request is filed by Island Institute. The owners of record are John and Karen Thielke.

Scarcelli stated that the application is for a major amendment to a nonconforming use permit. A long-term rental has been approved for the property. The applicant would now like to offer the unit as a short-term rental. Scarcelli stated that short-term rentals can increase long-term rental rates. Scarcelli stated that if this amendment is approved, one year must pass before another amendment can be considered, so that any concerns can be appropriately mitigated. Staff recommend approval with eight conditions.

Peter Bradley represented the Island Institute. Bradley stated that the unit is rented for a month or two at a time for artists in residence, which result in "awkward chunks of time."

No public comment.

Spivey stated that his only concern was for traffic, but the unit has already been operating as a long-term rental.

Parker Song/Pohlman moved to APPROVE the required findings.

Required Findings for Conditional Use Permits. The planning commission shall not recommend approval of a proposed development unless it first makes the following findings and conclusions:

1. The city may use design standards and other elements in this code to modify the proposal. A conditional use permit may be approved only if all of the following findings can be made regarding the proposal and are supported by the record that the granting of the proposed conditional use permit will not:
 - a. Be detrimental to the public health, safety, and general welfare;
 - b. Adversely affect the established character of the surrounding vicinity; nor
 - c. Be injurious to the uses, property, or improvements adjacent to, and in the vicinity of, the site upon which the proposed use is to be located.
2. The granting of the proposed conditional use permit is consistent and compatible with the intent of the goals, objectives, and policies of the comprehensive plan and any implementing regulation.
3. All conditions necessary to lessen any impacts of the proposed use are conditions that can be monitored and enforced.
4. The proposed use will not introduce hazardous conditions at the site that cannot be mitigated to protect adjacent properties, the vicinity, and the public health, safety, and welfare of the community from such hazard.
5. The conditional use will be supported by, and not adversely affect, adequate public facilities and services; or that conditions can be imposed to lessen any adverse impacts on such facilities and services.
6. Burden of Proof. The applicant has the burden of proving that the proposed conditional use meets all of the criteria in subsection B of this

section.

The city may approve, approve with conditions, modify, modify with conditions, or deny the conditional use permit. The city may reduce or modify bulk requirements, off-street parking requirements, and use design standards to lessen impacts, as a condition of the granting of the conditional use permit. In considering the granting of a conditional use, the assembly and planning commission shall satisfy themselves that the general criteria set forth for uses specified in this chapter will be met. The city may consider any or all criteria listed and may base conditions or safeguards upon them. The assembly and planning commission may require the applicant to submit whatever reasonable evidence may be needed to protect the public interest. The general approval criteria are as follows:

1. Site topography, slope and soil stability, geophysical hazards such as flooding, surface and subsurface drainage and water quality, and the possible or probable effects of the proposed conditional use upon these factors;
2. Utilities and service requirements of the proposed use, including sewers, storm drainage, water, fire protection, access and electrical power; the assembly and planning commission may enlist the aid of the relevant public utility officials with specialized knowledge in evaluating the probable effects of the proposed use and may consider the costs of enlarging, upgrading or extending public utilities in establishing conditions under which the conditional use may be permitted;
3. Lot or tract characteristics, including lot size, yard requirements, lot coverage and height of structures;
4. Use characteristics of the proposed conditional use that affect adjacent uses and districts, including hours of operation, number of persons, traffic volumes, off-street parking and loading characteristics, trash and litter removal, exterior lighting, noise, vibration, dust, smoke, heat and humidity, recreation and open space requirements;
5. Community appearance such as landscaping, fencing and screening, dependent upon the specific use and its visual impacts.

Motion PASSED 3-0.

Parker Song/ Pohlman moved to APPROVE the conditional use permit amendment request for a short-term rental subject to the eight attached conditions of approval. The property is also known as Lot 1 Westover Subdivision. The request is filed by the Island Institute. The owners of record are John and Karen Thielke.

Conditions of Approval:

1. Contingent upon a completed satisfactory life safety inspection.
2. The facility shall be operated consistent with the application and plans that were submitted with the request.
3. The facility shall be operated in accordance with the narrative that was submitted with the application.
4. The applicant shall submit an annual report every year, covering the information on the form prepared by the Municipality, summarizing the number of nights the facility has been rented over the twelve month period starting with the date the facility has begun operation. The report is due within thirty days following the end of the reporting period.
5. The Planning Commission, at its discretion, may schedule a public hearing at any time for the purpose of resolving issues with the request and mitigating

adverse impacts on nearby properties.

6. Failure to comply with all applicable tax laws, including but not limited to remittance of all sales and bed tax, shall be grounds for revocation of the conditional use permit.

7. Failure to comply with any of the above conditions may result in revocation of the conditional use permit.

8. The property owner shall register for a sales account prior to the Conditional Use Permit becoming valid.

Motion PASSED 3-0.

I Public hearing and consideration of a variance request for 216 Lakeview Drive, in the R-1 zone. The request is for the reduction in the northwesterly side setback from 5 feet to 1 foot for the construction of a garage to replace an existing carport. The property is also known as Lot 51 Lakeview Heights Subdivision. The request is filed by Ida Eliason. The owner of record is Ida Eliason.

Item was not heard due to lack of quorum. To be scheduled on next meeting's agenda.

J Public hearing and consideration of a variance request for substandard lot size at 204 Jeff Davis Street, in the R-2 zone. The property is also known as Lot 17 Sheldon Jackson Campus Subdivision. The request is filed by Randy Hitchcock. The owner of record is Randy Hitchcock.

Scarcelli stated that the applicant seeks to subdivide his property into two lot, and a code note states that development standard size is net of access easements. The total square footages of the lots meet development standards, but when the easements are subtracted, the lots do not meet minimum square footage requirements. Utilities currently exist on a portion of the access easement. If the properties were arranged side by side with no easements, the proposed lot sizes would not be problematic. The easement will act as a buffer and for parking. Scarcelli stated that the proposal is in line with the spirit of the code. Bosak read a comment of concern from Becky Martollo.

Randy Hitchcock stated that upon his purchase of the land, his intention was to build two structures on the property. He would like to subdivide into two lots. Hitchcock stated that he previously had concerns with the easement preventing parking, but he has decided to not request adjustments to the easements. Bosak asked if the new house would have a garage. Hitchcock said that it may have a small garage.

Pohlman/Parker Song moved to adopt as found in the staff report and APPROVE the findings of fact that state there are special circumstances that exist, the variance is necessary to preserve the enjoyment of property rights, the granting of the variance will not be materially detrimental to the public's welfare, health, or safety or nearby parcels or infrastructure; and comports with the Comprehensive Plan by providing substantial justice and equity in line with the spirit of the law.

Required Findings for Variances.

1. Required Findings for Variances Involving Major Structures or Expansions. Before any variance is granted, it shall be shown:

a. That there are special circumstances to the intended use that do not apply

generally to the other properties. Special circumstances may include the shape of the parcel, the topography of the lot, the size or dimensions of the parcels, the orientation or placement of existing structures, or other circumstances that are outside the control of the property owner (here the existing large oversized easements and code section that reduces net area);

b. The variance is necessary for the preservation and enjoyment of a substantial property right or use possessed by other properties but are denied to this parcel; such uses may include the placement of garages or the expansion of structures that are commonly constructed on other parcels in the vicinity (here alternatives would allow identical development, but for the access easements);

c. That the granting of such a variance will not be materially detrimental to the public welfare or injurious to the property, nearby parcels or public infrastructure (again, alternatives would allow the same outcome, and the outcome is in harmony with surrounding land use); and

d. That the granting of such a variance will not adversely affect the comprehensive plan (A grant of a variance will consider relevant factors including spirit of the code section that applies and seeking substantial justice and equity).

Motion PASSED 3-0.

Pohlman/Parker Song moved to APPROVE the platting variance request for substandard lot sizes at 204 Jeff Davis Street, in the R 2 zone reducing the net size lot B to 5,097 s.f. and lot A to 5,596.87 s.f. The property is also known as Lot 17 Sheldon Jackson Campus Subdivision. The request is filed by Randy Hitchcock. The owner of record is Randy Hitchcock.

Motion PASSED 3-0.

K

Public hearing and consideration of a minor subdivision and easement change request for 204 Jeff Davis Street, in the R-2 zone. The property is also known as Lot 17 Sheldon Jackson Campus Subdivision. The request is filed by Randy Hitchcock. The owner of record is Randy Hitchcock.

Scarcelli stated that the proposal is to split an approximately 17,000 square foot lot into two lots. With the granted variance, the proposal meets development standards. The proposal would result in another lot that can be developed. The easement would not be changed. Staff recommend approval. Spivey stated concern for a potential front setback variance to be required to build on the new lot. Bosak clarified that the front lot would only have one front setback, and that the easement does not create another front setback.

Randy Hitchcock stated that the approval at the Historic Preservation Commission failed 3-1, but 3 were in favor. Scarcelli stated that staff and the applicant have reached out to a variety of interested parties, and feedback has been largely positive.

No public comment.

Spivey stated that it would be unrealistic to build two houses on each of the new two lots.

Pohlman/Parker Song moved to adopt the Senior Planner's analysis and APPROVE the findings of fact that the minor subdivision is not detrimental the public's health, safety, and welfare nor injurious to nearby parcels.

Motion PASSED 3-0.

Pohlman/Parker Song moved to APPROVE the minor subdivision request for 204 Jeff Davis Street, in the R 2 zone. The property is also known as Lot 17 Sheldon Jackson Campus Subdivision. The request is filed by Randy Hitchcock. The owner of record is Randy Hitchcock

Motion PASSED 3-0.

L

Public hearing and consideration of a minor subdivision request filed for tidelands adjacent to 1 Lincoln Street, as required for the tideland lease process. The property is also known as a portion of ATS 15, and is in the Waterfront District. The request is filed by Petro Marine Services. The owner of record is the City and Borough of Sitka.

Bosak described the request. The subdivision is required for the 50 year tideland lease request. The proposed dock will streamline boat traffic and provide additional safety measures. An access easement should be a condition of approval. Staff is in support of the request.

Jerry Jacobs represented Petro Marine and stated that he didn't have anything additional to add.

No public comment.

Parker Song/Pohlman moved to APPROVE the findings as discussed in the staff report.

- 1) That the proposed minor subdivision complies with the Comprehensive Plan and Sitka General Code by delineating an area for a prospective tideland lease; and
- 2) That the subdivision would not be injurious to public health, safety, and welfare.

Motion PASSED 3-0.

Parker Song/Pohlman moved to APPROVE the preliminary plat of the minor subdivision for tidelands adjacent to 1 Lincoln Street with the condition that access is guaranteed. The property is also known a portion of ATS 15. The request is filed by Petro Marine Services. The owner of record is the City and Borough of Sitka.

Motion PASSED 3-0.

M

Public hearing and consideration of a zoning map amendment for ASLS 15-06. The proposal would change the property from unzoned to OS Open Space. The request is filed by the City and Borough of Sitka Planning Department. The owner of record is the State of Alaska.

Scarcelli stated that this is a follow-up item to the major subdivision on Nakwasina Sound. The property is not zoned. A zoning assignment would guide future development. Staff recommend that the Commission recommend OS Open Space zoning to the Assembly. Single family residential and recreational uses would be permitted. Lodges are not permitted. OS zoning is less intensive than other possibility zoning assignments, particularly since the

properties will not have municipal water and sewer service.

No public comment.

Spivey stated that the OS zoning makes sense for this parcel.

Pohlman/ Parker Song moved to APPROVE findings as discussed in the staff report.

1. That the granting of such zoning map amendment will not adversely affect the Comprehensive Plan, and it is consistent with Comprehensive Plan 2.4.1 which states, "To guide the orderly and efficient use of private and public land in a manner that encourages a rural lifestyle, recognizes the natural environment, and enhances the quality of life for present and future generations, specifically, by assigning OS zoning to preserve the property's rural character."

2. The zoning map change is consistent with the public purpose of developing commonsense zoning.

3. The zoning map change will not result in adverse effects on public health, safety, and welfare.

Motion PASSED 3-0.

Pohlman/Parker Song moved to RECOMMEND approval the zoning map amendment of ASLS 15-06 to assign OS Open Space zoning. The request is filed by the City and Borough of Sitka Planning and Community Development Department. The owner of record is the State of Alaska Department of Natural Resources Division of Mining, Land, and Water.

Motion PASSED 3-0.

N

Public hearing and consideration of a zoning text amendment to allow staff to approve administrative variances of up to two feet in C-1 General Commercial, C-2 General Commercial Mobile Home, Industrial, and Waterfront zones. The request is filed by the CBS Planning and Community Development Department.

Bosak explained the request, which would give an administrative authority to grant administrative variances of up to 2 feet in Commercial C-1, Commercial C-2, Waterfront WD and Industrial I zones. This can already be done in residential zones.

No public comment.

Pohlman asked how 2 feet was determined for this request. Bosak stated that administrative variances in residential zones are up to 2 feet.

Pohlman/Parker Song moved to RECOMMEND the zoning text amendment.

Motion PASSED 3-0.

VI. PLANNING DIRECTOR'S REPORT

Bosak reported that the next Comp Plan meeting is August 2 at ANB Hall. Bosak stated that Barb Sheinberg will be contacting commissioners and

participating in the meeting. The meeting will include a walkability assessment.

VII. PUBLIC BUSINESS FROM THE FLOOR

VIII. ADJOURNMENT

Pohlman/Parker Song moved to ADJOURN at 10:07 PM. Motion PASSED 3-0.

Attest: _____
Samantha Pierson, Planner I



City and Borough of Sitka

100 Lincoln Street • Sitka, Alaska 99835

Coast Guard City, USA

Planning and Community Development Department

Date: June 28, 2016

From: Samantha Pierson, Planner I

To: Planning Commission

Re: ZMA 16-03 Zoning Map Amendment of ASLS 15-06

GENERAL INFORMATION

Applicant: CBS Planning and Community Development Department

Property Owner: Alaska Department of Natural Resources

Property Address: Lisianski Peninsula

Legal Description: ASLS 15-06

Parcel ID Number: None

Size of Existing Lot: 122.35 acres

Zoning: None

Existing Land Use: Undeveloped

Utilities: None

Access: Water

Surrounding Land Use: Undeveloped, Recreational

MEETING FLOW

- Report from Staff
- Applicant comes forward
- Applicant identifies him/herself – provides comments
- Commissioners ask applicant questions
- Staff asks applicant any questions
- Floor opened up for Public Comment
- Applicant has opportunity to clarify or provide additional information
- Comment period closed - brought back to the board
- Findings
- Motion of Approval for the replat

ATTACHMENTS

Attachment A: Vicinity Map
Attachment B: Aerial Vicinity Map
Attachment C: Additional Maps

Providing for today...preparing for tomorrow

Attachment D: Application
Attachment E: Plat
Attachment F: Use Tables
Attachment G: Ownership

PROJECT DESCRIPTION

Global Positioning Services, on behalf of Alaska DNR, applied for a major subdivision of ASLS 15-06 located on Lisianski Peninsula. The Planning Commission approved the final plat, and the plat will go to the Assembly for approval at a later date. The property is currently unzoned. The CBS Planning and Community Development Department requests that the Planning Commission recommend Open Space (OS) zoning for the property. The final decision will be made by the Assembly.

BACKGROUND

Lisianski Peninsula, like much of the undeveloped portions of Baranof Island, is unzoned. This action will only assign zoning to ASLS 15-06, otherwise known as the Nakwasina Sound Subdivision. The assignment of a zoning classification is essential, as it will guide the future development of the property.

Open Space (OS) zoning would allow property owners to build recreational housing, while still preserving rural character. The Open Space (OS) zoning district: "is to serve as a holding zone for large islands or tracts for which specific plans have not been established."¹ Permitted OS uses include single-family detached housing, trails, campgrounds, docks, a marina, and commercial home horticulture. One small private recreational cabin per lot is permitted in addition to the principal structure.

ANALYSIS

Project / Site: The proposed parcel is unzoned. The parcel is 122.35 square feet, and is currently undergoing the subdivision process to create 18 lots and 1 tract.

Traffic: The zoning map amendment will not result in more traffic beyond what is created by the subdivision.

Parking: Not applicable.

Noise: Lots are large to provide sound buffers. No concerns.

Public Health or Safety: Property owners will be responsible for installing DEC approved

¹ § 22.16.160 OS Open Space Zone

utilities. This is clearly stated in the plat notes.

Habitat: Any future docks must comply with US Army Corps of Engineers requirements.

Property Value or Neighborhood Harmony: Neighboring property is undeveloped and government-owned. No concerns.

Comprehensive Plan: 2.4.1 To guide the orderly and efficient use of private and public land in a manner that encourages a rural lifestyle, recognizes the natural environment, and enhances the quality of life for present and future generations, *specifically, by assigning OS zoning to preserve the property's rural character.*

FINDINGS

1. That the granting of such zoning map amendment will not adversely affect the Comprehensive Plan, and it is consistent with Comprehensive Plan 2.4.1 which states, "To guide the orderly and efficient use of private and public land in a manner that encourages a rural lifestyle, recognizes the natural environment, and enhances the quality of life for present and future generations, *specifically, by assigning OS zoning to preserve the property's rural character.*"
2. The zoning map change is consistent with the public purpose of developing commonsense zoning.
3. The zoning map change will not result in adverse effects on public health, safety, and welfare.

RECOMMENDATION

It is recommended that the Planning Commission adopt the Planner's analysis and grant the zoning map amendment to assign Open Space to ASLS 15-06.

RECOMMENDED MOTIONS

1. Move to approve the findings as discussed in the staff report.
2. Move to approve the zoning map amendment of ASLS 15-06 to assign Open Space (OS) zoning. The request is filed by the City and Borough of Sitka Planning and Community Development Department. The owner of record is Alaska Department of Natural Resources Division of Mining, Land, and Water.



CITY AND BOROUGH OF SITKA
 PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT
 GENERAL APPLICATION FORM

1. Request projects at least FOURTEEN (14) days in advance of next meeting date.
2. Review guidelines and procedural information.
3. Fill form out completely. No request will be considered without a completed form.
4. Submit all supporting documents and proof of payment.

APPLICATION FOR: VARIANCE CONDITIONAL USE
 ZONING AMENDMENT PLAT

BRIEF DESCRIPTION OF REQUEST: Assign OS zoning to
ASLS 15-06

PROPERTY INFORMATION:

CURRENT ZONING: not zoned PROPOSED ZONING (if applicable): OS Open Space
 CURRENT LAND USE(S): underdeveloped PROPOSED LAND USES (if changing): recreational

APPLICANT INFORMATION:

PROPERTY OWNER: Alaska DNR
 PROPERTY OWNER ADDRESS: _____
 STREET ADDRESS OF PROPERTY: _____
 APPLICANT'S NAME: CBS PCDD
 MAILING ADDRESS: _____
 EMAIL ADDRESS: _____ DAYTIME PHONE: _____

PROPERTY LEGAL DESCRIPTION:

TAX ID: _____ LOT: _____ BLOCK: _____ TRACT: _____
 SUBDIVISION: _____ ~~US~~ SURVEY: ASLS 15-06

OFFICE USE ONLY			
COMPLETED APPLICATION		SITE PLAN	
NARRATIVE		CURRENT PLAT	
FEE		PARKING PLAN	

REQUIRED SUPPLEMENTAL INFORMATION:

- Completed application form
- Narrative
- Site Plan showing all existing and proposed structures with dimensions and location of utilities
- Proof of filing fee payment
- Proof of ownership
- Copy of current plat
- Topographic information (If Pertinent to Application)
- Landscape Plan (If Pertinent to Application)
- Drainage and Utility Plan (If Pertinent to Application)
- Parking Plan (For Conditional Use Permit)
- Floor Plan (For Conditional Use Permit)
- Three (3) copies of concept plat (For Plat)
- Plat Certificate from a title company (For Plat)

CERTIFICATION:

I hereby certify that I am the owner of the property described above and that I desire a planning action in conformance with Sitka General Code and hereby state that all of the above statements are true. I certify that this application meets SCG requirements to the best of my knowledge, belief, and professional ability. I acknowledge that payment of the review fee is non-refundable, is to cover costs associated with the processing of this application, and does not ensure approval of the request. I understand that public notice will be mailed to neighboring property owners and published in the Daily Sitka Sentinel. I further authorize municipal staff to access the property to conduct site visits as necessary.

Owner

L. Samantha Pinow

Applicant (If different than owner)

Date

6/23/16

Date

22.16.015 Permitted, conditional and prohibited uses. Revised 5/16 Revised 5/16

The use of a property is defined by the activity for which the building or lot is intended, designed, arranged, occupied, or maintained. Each lot or parcel in single-family and related zones shall contain only one principal use as defined by the use tables in this chapter. Multifamily and commercial zones may contain up to three principal uses. Other uses on the lot or parcel may be permitted accessory uses or conditional uses. All applicable requirements of this code, or other applicable state or federal requirements, shall govern a use located in the city and borough of Sitka.

The land use tables contained in this chapter determine whether specific uses are permitted as principal (P) or conditional (C) uses. Each table lists the zoning districts in the vertical columns and the land use activities in the horizontal rows. If no symbol appears in the box at the intersection of a row and column, the use is not allowed and is prohibited unless otherwise noted. In general, prohibited uses shall be as follows:

- A. Any use or structure not of a character indicated under permitted principal, accessory or conditional uses;
- B. Any use which causes, or may be reasonably expected to cause, an excessive disturbance not in keeping with the character and stated intent of this district. "Excessive" is defined for these purposes as a degree exceeding that generated by uses permitted in the district in their customary manner of operation or to a degree injurious to the public safety, health, welfare or convenience.

If the letter "P" appears in the box, the use is permitted outright subject to the provisions of the code. If the letter "C" appears in the box, the use is a conditional use subject to review and approval including site plan approval. If the box contains a number, there will be a corresponding footnote further specifying the conditions applicable to the use in the zone.

With the exception of the Gary Paxton special district or as otherwise provided in this code, if the letter "P," "C," or another notation does not appear in the box, the use is prohibited.

The Gary Paxton special (GP/GPS) district was specifically developed to allow for a wide range of flexible uses on the site. When the site was acquired, it was recognized that a number of appropriate uses may surface that could not be anticipated. Appropriate and inappropriate uses could be regulated through lease agreements and sales agreements that must be approved by the municipality. As a result, the GP/GPS district use tables shall function differently from the manner outlined above.

Any uses, except retail and business uses, at Table 22.16.015-6, as well as natural resource extracting and mining support facilities uses within Table 22.16.015-5, may be approved in the GP/GPS district without a requirement of a zoning amendment in accordance with Section 2.38.080.

Retail and business uses in the GP/GPS district that are permitted uses, conditional uses, or prohibited uses on the site are governed by Table 22.16.015-6. Natural resource extractions and mining support facilities are conditional uses governed by Table 22.16.015-5 in the GP/GPS district. These use tables are binding on the owners and the operators in the Gary Paxton industrial park. No changes to these tables shall be made without a zoning ordinance text amendment that follows the full procedures in Chapter 22.30, Zoning Code Administration.

As outlined in Section 22.16.110, the I industrial zone is intended for industrial and heavier commercial uses. The zone also contains a number of heavy public uses as permitted and conditional uses. Additional conditional uses may be approved by the assembly, through the conditional use process, even though they may not be specifically listed as permitted or conditional uses in the following table.

**Table 22.16.015-1
Residential Land Uses**

Zones	P(1)	SF	SFLD	R-1	R-1 MH	R-1 LDMH	R-2	R-2 MHP	CBD (11, 12)	C-1 (11)	C-2 (11)	WD (2, 11)	I	GI (3, 10)	LI(3)	R	OS	GP (13)
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CBS PCDD
 Zoning Map Amendment
 ASLS 15-06

Zones	P(1)	SF	SFLD	R-1	R-1 MH	R-1 LDMH	R-2	R-2 MHP	CBD (11, 12)	C-1 (11)	C-2 (11)	WD (2, 11)	I	GI (3, 10)	LI(3)	R	OS	GP (13)
RESIDENTIAL																		
• Single-family detached		P	P	P(4)	P(4)	P(4)	P(4)	P(4)		P	P	P		P	P	P	P	
• Townhouse				C(5)	C(5)	C(5)	C(5)	C(5)	C	P	P	P		C	C			
• Duplex				P	P		P	P		P	P	P		P	P			
• Residential zero lot line				P	P	P	P	P		P	P	P						
• Multiple-family				C(5)	C(5)	C(5)	P(5)	P(5)	P(5,8)	P(5)	P(5)	P(5)		C	C			
• Single manufactured home on an individual lot					P	P		P			P			C	C			
• Mobile home park								P			P	P						
• Accessory dwelling unit				P(14) C	C	C	P(14) C	C										
GROUP RESIDENCES																		
• Assisted living	C						C	C						C	C			
• Bunkhouse for transient workers							C	C				C		C				
• Dormitory	C(4)						C	C										
• Quasi-institutional	C			C	C	C	C	C						C	C			
TEMPORARY LODGING																		
• Hostel							C	C		P	P	P						
• Hotel/motel									P	P	P	P		PU/ CS	C	C		
• Bed and breakfast				C(7)	C(7)	C(7)	C(8)	C(8)	P	P	P	P		P	C			
• Short-term rental	C(15)			C	C	C	C	C	P	P(9)	P(9)	P(9)		P	C	P(9)		
• Rooming house							C	C	C	P	P	P		C	C			
• Lodge										P	P	P		PU/ CS	C			
• Limited storage				C(6)	C(6)	C(6)	C(6)	C(6)						P	C			

P: Public Lands District

C-1/C-2: General Commercial and General Commercial/ Mobile Home Districts

SF: Single-Family District

WD: Waterfront District

SFLD: Single-Family Low Density District

I: Industrial District

R-1: Single-Family/Duplex District

GI: General Island District

R-1 MH: Single-Family/Duplex/Manufactured Home District

LI: Large Island District

R-1 LDMH: Single-Family/Duplex and Single-Family/Manufactured Home Low Density Districts

R: Recreational District

R-2: Multifamily District

OS: Open Space District

R-2 MHP: Multifamily/Mobile Home District

GP: Gary Paxton Special District

CBD: Central Business District

P—Permitted

C—Conditional Use Permit Required

PU/CS—Permitted on Unsubdivided Islands and Conditional Use on Subdivided Islands

C. Residential Uses Table 22.16.015-1 Footnotes.

1. Public facilities not otherwise identified may be permitted in the public zone subject to planning commission recommendation and assembly approval subject to findings of fact that show the use is in the public interest; all reasonable safeguards are to be employed to protect the surrounding area; and that there are no reasonable alternative locations for the use.
2. All uses in the waterfront district are intended to be water-related or water-dependent except that upland uses may be non-water-related.
3. Uses listed as conditional uses in the GI and LI zones may be considered, but not necessarily approved, on a case-by-case basis.
4. Including zero lot developments.
5. Townhouse, cluster housing developments and planned unit developments are conditional uses subject to this title and Title 21 of this code, Subdivisions.
6. On-site storage of commercial fishing vessels, fishing equipment and other small business equipment is a permitted conditional use so long as such storage does not occupy more than four hundred square feet.
7. Bed and breakfast establishments are limited to three guest rooms in the R-1, R-1 MH, and R-1 LD districts as conditional uses only when no other rental such as apartments is in operation on the same lot.
8. Bed and breakfast establishments are limited to five guest rooms in the R-2, R-2 MHP districts as conditional uses only when no other rental such as apartments is in operation on the same lot.
9. Short-term rentals including legal nonconforming uses shall provide two off-street parking spaces per unit, comply with the municipal fire code, and comply with the requirements of the building department based on a life safety inspection.
10. Hotels, motels, lodges, boarding houses and bed and breakfasts capable of accommodating a maximum of six guests plus one guest for each one-half acre or fraction thereof above one acre on unsubdivided islands are permitted principal uses. Hotels, motels, lodges, boarding houses and bed and breakfasts, on unsubdivided islands that exceed this maximum, are conditional uses.

Bed and breakfast establishments, boarding houses, hotels, motels and lodges are conditional uses on subdivided islands.
11. Many of the permitted and conditional uses in the CBD, C-1, C-2, and WD zones generate traffic, noise, odor, and general impacts to a higher level and greater degree than permitted and conditional uses in residential districts. Owners of residential uses in the CBD, C-1, C-2 and WD districts must be aware of and accepting of all the permitted uses in these districts.
12. Single or multiple apartments shall only be permitted on the first floor of structures in the CBD district if approved through the conditional use process. Single and multiple apartments are permitted uses on upper floors of structures in the CBD district.

13. Any uses, except retail and business uses, and natural resource extraction and mining support facilities uses may be approved in accordance with Section 2.38.080.

14. Accessory dwelling units shall be constructed in conformance with the standards outlined in Chapter 22.20, Supplemental District Regulations and Development Standards.

15. Conditional use limited to allow boats to be used as short-term rentals in harbors and slips within the public lands zoning district.

Table 22.16.015-2
Cultural/Recreational Uses

ZONES	P(1)	SF (7)	SFLD(7)	R-1 (7)	R-1 MH (7)	R-1 LDMH (7)	R-2 (7)	R-2 MHP(7)	CBD	C-1	C-2	WD(2)	I	GI(3)	LI(3)	R	OS	GP (9)
CULTURAL																		
• Library	P								P	P	P			P	P			
• Museum	P								P	P	P			P	P			
• Conference center							C	C	P	P	P			C	C			
• Church		C	C	C	C	C	C	C	P	P	P			PU/CS	C			
• Art gallery	P			C(4)	C(4)	C(4)	C(4)	C(4)	P	P	P	C		C	C			
• Radio station												P						
RECREATIONAL																		
• Park and recreation														P	P			
• Park	P	P	P	P	P	P	P	P	P	P	P			P	P	P	P	
• Trails	P	P	P	P	P	P	P	P	P	P	P			P	P	P	P	
• Campground	P													C	C		P	
• Resort										P	P			C	C	P		
• Marina	P									P	P	P		C	C	C	P	
• Travel trailer/recreational vehicle park	C									P	P	C		C	C			
• Ballpark/athletic field	P	C	C	C	C	C	C	C		P	P	P	P	P	C	P		
• Amusement and entertainment														PU/CS	C			
• Theater									P	P	P			C	C			
• Theater, drive-in										P	P			C	C			
• Outdoor amphitheater	P								P	P	P			PU/CS	C		P	
• Bowling center									P	P	P			C	C			

ZONES	P(1)	SF (7)	SFLD(7)	R-1 (7)	R-1 MH (7)	R-1 LDMH (7)	R-2 (7)	R-2 MHP(7)	CBD	C-1	C-2	WD(2)	I	GI(3)	LI(3)	R	OS	GP (9)
• Sports club and yacht club	C									P	P	P		C	C		C (5)	
• Golf facility	P									P	P			C	C			
• Shooting range—indoor	C									C	C			PU/CS				
• Shooting range—outdoor										C	C			PU/CS				
• Arcades									P	P	P			C	C			
• Community center	C						C	C	P					C	C			
• Personal use docks—accomodating waterborne aircraft		C(6)	C(6)	C(6)	C(6)	C(6)	C(6)	C(6)				P		P(8)	P(8)	P(8)	P(8)	
• Personal use docks—perimeter of dock and float exceed 300 linear feet		C	C	C	C	C	C	C				P		P(8)	P(8)	P(8)	P(8)	
• Personal use docks—one lease slip, float houses permitted in accordance with the Sitka Coastal Management Program, no linear perimeter restriction, allowing liveaboards, and allowing float planes												P		P(8)	P(8)	P(8)	P(8)	
• Personal use docks—no perimeter restrictions, no restrictions on liveaboards and float planes. Float houses allowed if permitted in accordance with Sitka Coastal Management Program										P	P	P	P	P(8)	P(8)	P(8)	P(8)	
• Personal use docks—one nonfee liveaboard		P	P	P	P	P						P		P(8)	P(8)	P(8)	P(8)	
• Personal use docks—liveaboards, no more than 300-foot perimeter							P	P				P		P(8)	P(8)	P(8)	P(8)	
• Community personal use docks		C	C	C	C	C	C	C				P		P(8)	P(8)	P(8)	P(8)	
• Commercial use docks										P	P	P	P	C	C	C	C	

P: Public Lands District

C-1/C-2: General Commercial and General Commercial/ Mobile Home Districts

SF: Single-Family District

SFLD: Single-Family Low Density District

WD: Waterfront District

- R-1: Single-Family/Duplex District
- R-1 MH: Single-Family/Duplex/Manufactured Home District
- R-1 LDMH: Single-Family/Duplex and Single-Family/Manufactured Home Low Density Districts
- R-2: Multifamily District
- R-2 MHP: Multifamily/Mobile Home District
- CBD: Central Business District
- I: Industrial District
- GI: General Island District
- LI: Large Island District
- R: Recreational District
- OS: Open Space District
- GP: Gary Paxton Special District

P—Permitted

C—Conditional Use Permit Required

PU/CS—Permitted on Unsubdivided Islands and Conditional Use on Subdivided Islands

D. Cultural/Recreational Uses Table 22.16.015-2 Footnotes.

1. Public facilities not otherwise identified may be permitted in the public zone subject to planning commission recommendation and assembly approval subject to findings of fact that show the use is in the public interest, all reasonable safeguards are to be employed to protect the surrounding area, and that there are no reasonable alternative locations for the use.
2. All uses in the waterfront district are intended to be water-related or water-dependent except that upland uses may be non-water-related.
3. Uses listed as conditional uses in the GI and LI zones may be considered, but not necessarily approved, on a case-by-case basis.
4. When operated as a home occupation.
5. Sport fishing lodges.
6. Any waterborne aircraft approved through the conditional use process shall be restricted to those owned by the upland property owner or long-term lessee that are not used for commercial purposes. Waterborne aircraft shall also only be allowed on docks in a secure environment.
7. The city requires liveaboards in R-1, R-2, SF, and related zones to meet the relevant liveboard regulations that are required in the municipal harbor regulations under “liveaboards.”
8. Waterborne aircraft that moor on docks on an ongoing basis are allowed as a permitted use on personal use and community personal use docks if they are solely used by the owners of the property and are solely used for noncommercial purposes. All nonprivate use of waterborne aircraft would require conditional use approval.
9. Any uses except retail and business uses and natural resource extraction and mining support facilities uses may be approved in accordance with Section 2.38.080.

**Table 22.16.015-3
General Services Uses**

ZONES	P(1)	SF	SFLD	R-1 (6)	R-1 MH (6)	R-1 LDMH (6)	R-2	R-2 MHP	CBD	C-1	C-2	WD(2)	I	GI(3)	LI(3)	R	OS	GP (8)
PERSONAL SERVICES																		
• General services									P	P	P			C				

ZONES	P(1)	SF	SFLD	R-1 (6)	R-1 MH (6)	R-1 LDMH (6)	R-2	R-2 MHP	CBD	C-1	C-2	WD(2)	I	GI(3)	LI(3)	R	OS	GP (8)
• Dry cleaning									P	P	P							
• Industrial laundry										C	C		P					
• Funeral home/crematorium									C	P	P			C				
• Cemeteries/mausoleum	P													C	C			
• Day care/kindergartens	P			P(6)	P(6)	P(6)	P(5)	P(5)	C	P(5)	P(5)			P	P			
• Veterinary clinic							(7)		C	C	C		P	C				
• Automotive repair									C	P	P	P	P	C				
• Automotive service									C	P	P	P	P	C				
• Miscellaneous repair									P	P	P	P	P	C	C			
• Social service agencies									P	P	P	C		CU/*S	C			
• Stable	C									C	C			PU/CS		C		
• Kennel										C	C		C	P				
• Bank							C	C	P	P	P			C	C			
• Credit union							C	C	P	P	P			C	C			
• Massage treatments																C		
HEALTH SERVICES																		
• Offices/outpatient clinic							C	C	P	P	P			C	C			
• Hospital	C(4)								C	P	P			C	C			
• Medical/dental laboratory							C	C	P	P	P		P	C	C			
• Marijuana testing facility									C	C	C	C	C	C	C			C
• Miscellaneous health facility							C	C	C	C	C			C	C			
EDUCATIONAL SERVICES																		
• Elementary school	p						C	C	C	C	C			C	C			
• Middle/junior high school	p						C	C	C	C	C			C	C			
• Secondary/high school	p						C	C	C	C	C			C	C			
• Vocational school	p						C	C	C	C	C			C	C			
• Specialized instruction school	p						C	C	C	C	C			C	C			
• College/university	p								C	C	C			C	C			
• School district support facility (excluding	p						C	C	C	P	P		P	C	C			

ZONES	P(1)	SF	SFLD	R-1 (6)	R-1 MH (6)	R-1 LDMH (6)	R-2	R-2 MHP	CBD	C-1	C-2	WD(2)	I	GI(3)	LI(3)	R	OS	GP (8)
bus barns)																		
• Auditorium	P																	

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R-2: Multifamily District

R: Recreational District

R-2 MHP: Multifamily/Mobile Home District

OS: Open Space District

CBD: Central Business District

GP: Gary Paxton Special District

P—Permitted

C—Conditional Use Permit Required

PU/CS—Permitted on Unsubdivided Islands and Conditional Use on Subdivided Islands

CU/*S—Conditional Use on Unsubdivided Islands and Prohibited on Subdivided Islands

E. General Services Uses Table 22.16.015-3 Footnotes.

1. Public facilities not otherwise identified may be permitted in the public zone subject to planning commission recommendation and assembly approval subject to findings of fact that show the use is in the public interest, all reasonable safeguards are to be employed to protect the surrounding area, and that there are no reasonable alternative locations for the use.

2. All uses in the waterfront district are intended to be water-related or water-dependent except that upland uses may be non-water-related.

3. Uses listed as conditional uses in the GI and LI zones may be considered, but not necessarily approved, on a case-by-case basis.

4. Hospital buildings shall be set back a minimum of ten feet from all property lines.

5. Establishments accommodating five or more children require state licenses and are conditional uses.

6. Day cares with four children or less not related to the provider are a permitted use in owner occupied detached single-family dwellings in the R-1 and related zones.

Day cares with four children or less not related to the provider are a conditional use in residential zero lot line dwellings in the R-1 and related zones. Day cares with four children or less not related to the provider are also a conditional use in two-family dwellings, that are constructed as duplex where each unit is of similar size, in the R-1 and related zones.

Day cares are not allowed in apartments or similar dwelling units in R-1 or related zones.

Day cares with five children or more not related to the provider are a conditional use, in owner occupied detached single-family dwellings only, in the R-1 and related zones.

7. A replacement vet clinic in the 1200 block of Halibut Point Road as a substitute for the long standing historical use in the area is expressly authorized and shall be the only vet clinic allowed in an R-2 zone.

8. Any uses, except retail and business uses, and natural resource extraction and mining support facilities uses may be approved in accordance with Section 2.38.080.

**Table 22.16.015-4
Public Facilities Uses**

ZONES	P(1)	SF	SFLD	R-1	R-1 MH	R-1 LDMH	R-2	R-2 MHP	CBD	C-1	C-2	WD (2)	I	GI(3)	LI(3)	R	OS	GP (6)
GOVERNMENT SERVICES										C								
• Public agency or utility office	P								P	C				PU/CS	C			
• Public agency or utility service yard	P									C		P	P	C	C			
• Public agency warehouse	P									C		P	P	C	C			
PUBLIC SERVICES																		
Courts	P								P					C	C			
Police station	P								P	P	P			C	C			
Fire station	P			C	C	C	C	C	P	P	P	C	C	PU/CS	C	C		
Utility facilities (transformers, pump stations, etc.)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Solid waste transfer facility	C(4)									C	C	C	C	C	C			
Landfill	P												C	C	C	C		
Land clearing landfills	C												C					
Wastewater treatment plant	C									C	C	P	P	C	C			
Public water supply facility	P									P	P	P	P	C	C	P		
Public transportation facility/airport	C								C	C	C	P(5)	P	C				
Animal shelter	P									C	C		C	C				
Recycling facility	C																	
Housing support facility (7)							C	C										

P: Public Lands District

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- R-2: Multifamily District
- R-2 MHP: Multifamily/Mobile Home District
- CBD: Central Business District
- GI: General Island District
- LI: Large Island District
- R: Recreational District
- OS: Open Space District
- GP: Gary Paxton Special District

P—Permitted

C—Conditional Use Permit Required

PU/CS—Permitted on Unsubdivided Islands and Conditional Use on Subdivided Islands

F. Public Facilities Uses Table 22.16.015-4 Footnotes.

1. Public facilities not otherwise identified may be permitted in the public zone subject to planning commission recommendation and assembly approval subject to findings of fact that show the use is in the public interest, all reasonable safeguards are to be employed to protect the surrounding area, and that there are no reasonable alternative locations for the use.
2. All uses in the waterfront district are intended to be water-related or water-dependent except that upland uses may be non-water-related.
3. Uses listed as conditional uses in the GI and LI zones may be considered, but not necessarily approved, on a case-by-case basis.
4. Minimum site area is twenty acres.
5. Ferry terminals, barge freight terminals, docks, and harbor facilities including float plane facilities, fueling piers and tank farms, and other port facilities are permitted principal uses subject to planning commission review and public hearing and assembly approval of a binding site plan.
6. Any uses, except retail and business uses, and natural resource extraction and mining support facilities uses may be approved in accordance with Section 2.38.080.
7. In which the primary purpose of the support facility is to support and maintain housing-related programs in the immediate area.

Table 22.16.015-5
Manufacturing/Storage Uses

ZONES	P(1)	SF	SFLD	R-1	R-1 MH	R-1 LDMH	R-2	R-2 MHP	CBD	C-1	C-2	WD(2)	I(3)	GI(4)	LI(4)	R	OS	GP (7)
MANUFACTURING																		
• Food products include seafood processing										C	C	P	P	C	C	C		
• Mariculture												P		C	C			
• Winery/brewery, small scale									C	C	C	P	P	C	C			
• Textile mill products									C	C	C	P	P	C	C			

ZONES	P(1)	SF	SFLD	R-1	R-1 MH	R-1 LDMH	R-2	R-2 MHP	CBD	C-1	C-2	WD(2)	I(3)	GI(4)	LI(4)	R	OS	GP (7)
• Apparel and textile products										C	C	P	P	C	C			
• Wood products, except furniture										C	C	P	P	PU/CS	C			
• Furniture and fixtures										P	P	P	P	P	C			
• Paper and allied products										C	C	P	P	C	C			
• Petroleum refining and related products										C	C	P	P					
• Rubber and plastics products										C	C	P	P					
• Leather and leather goods										P	P	P	P	C	C			
• Tannery										C	C							
• Stone, clay, glass and concrete products										C	C	P	P	C	C			
• Primary metal products										C	C	P	P	C	C			
• Asphalt plant/concrete batch plant													C					
• Fabricated metal products										C	C	P	P	C				
• Industrial and commercial machinery										C	C	P	P					
• Heavy machinery and equipment										C	C	P	P					
• Computer and office equipment										P	P	P	P	C	C			
• Electronic and electric equipment										P	P	P	P	PU/CS	C			
• Miscellaneous vehicle manufacturing										C	C	P	P	C				
• Boat building										C	C	P(5)	P	C				
• Tire retreading										C	C	P	P					
• Other manufacturing										C	C	P	P(6)	C	C			
• Marijuana cultivation facility									C	C	C	C	C	C	C			C
• Marijuana cultivation facility, limited									C	C	C	C	C	C	C			C
• Marijuana product manufacturing facility									C	C	C	C	C	C	C			C
• Marijuana product manufacturing facility, extract only									C	C	C	C	C	C	C			C
STORAGE AND WAREHOUSING													P					

ZONES	P(1)	SF	SFLD	R-1	R-1 MH	R-1 LDMH	R-2	R-2 MHP	CBD	C-1	C-2	WD(2)	I(3)	GI(4)	LI(4)	R	OS	GP (7)
• Marine equipment/ commercial fishing gear/material storage										P	P	P	P	PU/CS	C			
• Boat storage										P	P	P	P					
• Construction materials storage									P	P	P	P	P	C	C	C		
• Trucking, courier and taxi service facilities									P	P	P	P(5)	P	C	C			
• Warehousing and wholesale trade									P	P	P	P(5)	P	C				
• Self-service storage									P	P	P	P	P	C				
• Log storage	C									C	C	P	P	C		P		
• Freight and cargo services									P	P	P	P(5)	P	C				
• Equipment rental services									P	C	C	P	P	C				
• Vehicle rental services									P	P	P	P	P	C				
• Natural resource extraction and mining support facilities												C	C	C	C			C
• Storage of explosives													C					
• Bulk fuel storage												C						

P: Public Lands District

C-1/C-2: General Commercial and General Commercial/ Mobile Home Districts

SF: Single-Family District

SFLD: Single-Family Low Density District

WD: Waterfront District

R-1: Single-Family/Duplex District

I: Industrial District

R-1 MH: Single-Family/Duplex/Manufactured Home District

GI: General Island District

R-1 LDMH: Single-Family/Duplex and Single-Family/Manufactured Home Low Density Districts

LI: Large Island District

R-2: Multifamily District

R: Recreational District

R-2 MHP: Multifamily/Mobile Home District

OS: Open Space District

CBD: Central Business District

GP: Gary Paxton Special District

P—Permitted

C—Conditional Use Permit Required

PU/CS—Permitted on Unsubdivided Islands and Conditional Use on Subdivided Islands

G. Manufacturing/Storage Uses Table 22.16.015-5 Footnotes.

1. Public facilities not otherwise identified may be permitted in the public zone subject to planning commission recommendation and assembly approval subject to findings of fact that show the use is in the public interest, all reasonable safeguards are to be employed to protect the surrounding area, and that there are no reasonable alternative locations for the use.
2. All uses in the waterfront district are intended to be water-related or water-dependent except that upland uses may be non-water-related.
3. No industrial use shall be of a nature which is noxious or injurious to nearby properties by reason of smoke, emission of dust, refuse matter, odor, gases, fumes, noise, vibration or similar conditions.
4. Uses listed as conditional uses in the GI and LI zones may be considered, but not necessarily approved, on a case-by-case basis.
5. Ferry terminals, barge freight terminals, docks and harbor facilities including float plane facilities, fueling piers and tank farms and other port facilities are permitted principal uses subject to planning commission review and public hearing and assembly approval of a binding site plan.
6. Automobile wrecking yards, salvage yards, and junkyards are conditional uses and shall be set back a minimum of twenty feet from property lines and be enclosed by fences a minimum of eight feet in height. The setback area may be used for customer parking but not for vehicle storage.
7. Any uses, except retail and business uses, and natural resource extraction and mining support facilities uses may be approved in accordance with Section 2.38.080.

**Table 22.16.015-6
Retail and Business Uses**

ZONES	P(1)	SF	SFLD	R-1	R-1 MH	R-1 LDMH	R-2	R-2 MHP	CBD (8)	C-1	C-2	WD(2)	I(3)	GI(4)	LI(4)	R	OS	GP
RETAIL USES																		
• Building, hardware and garden materials										P	P		P	C	C			P
• Bulk forest products sales									P	P	P	P	P	P				P
• Retail forest products sales										P	P	P	P					C
• Art galleries and sales of art									P	P	P	P						
• Department and variety stores									P	P	P	P(5)		C	C			
• Food stores									P	P	P	P(5)		C	C	C(6)		C
• Agricultural product sales										P	P		P	C	C			P
• Motor vehicle and boat dealers									P(7)	P	P	P(5)		C				P
• Auto supply stores									P	P	P			C	C			P
• Gasoline service stations									C	P	P		P	C	C			C
• Apparel and accessory stores									P	P	P	P(5)		C	C			
• Furniture and home furnishing stores									P	P	P			C				C

ZONES	P(1)	SF	SFLD	R-1	R-1 MH	R-1 LDMH	R-2	R-2 MHP	CBD (8)	C-1	C-2	WD(2)	I(3)	GI(4)	LI(4)	R	OS	GP
• Eating and drinking places									P	P	P	P	C	PU/CS	C			C
• Drug stores									P	P	P			C	C			
• Liquor stores									P	P	P	P(5)		C	C			
• Used goods, secondhand stores									P	P	P	P(5)		C	C			C
• Sporting goods									P	P	P	P(5)		C	C			
• Book, stationery, video and art supply									P	P	P	P(5)		C	C			
• Jewelry stores									P	P	P	P(5)		C	C			
• Monuments, tombstones and gravestones									P	P	P		P	C	C			P
• Hobby, toy, game stores									P	P	P			C	C			
• Photographic and electronic stores									P	P	P	P(5)		C	C			
• Fabric stores									P	P	P			C	C			
• Fuel dealers										P	P		P	C	C			C
• Florists									P	P	P			C	C			
• Medical supply stores									P	P	P			C	C			
• Pet shops									P	P	P			C	C			
• Sales of goods that are wholly manufactured at Gary Paxton industrial park GPIP																		P
• Sales of gifts, souvenirs and promotional materials that bear the logo or trade name of a GPIP permitted use business																		P
• Stand alone souvenir and gift shops									P	P	P	P						
• Bulk retail										P	P			C	C			
• Commercial home horticulture	P	C	C	C(9)	C(9)		C(9)	C(9)	P	P	P	P		PU/CS(9)	C(9)	P	P	
• Horticulture and related structures	P								P	P	P	P						P
• Marijuana retail facility									C	C	C	C	C	C	C			C
BUSINESS SERVICES																		P
• General business services									P	P	P	P(5)	P	C	C			C
• Professional offices							C	C	P	P	P	P(5)		C	C			P

ZONES	P(1)	SF	SFLD	R-1	R-1 MH	R-1 LDMH	R-2	R-2 MHP	CBD (8)	C-1	C-2	WD(2)	I(3)	GI(4)	LI(4)	R	OS	GP
• Communications services									P	P	P	P(5)		C	C			P
• Research and development services									C	P	P	C(5)	P	C	C			P

P: Public Lands District

C-1/C-2: General Commercial and General Commercial/ Mobile Home Districts

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P—Permitted

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PU/CS—Permitted on Unsubdivided Islands and Conditional Use on Subdivided Islands

H. Retail and Business Uses Table 22.16.015-6 Footnotes.

1. Public facilities not otherwise identified may be permitted in the public zone subject to planning commission recommendation and assembly approval subject to findings of fact that show the use is in the public interest, all reasonable safeguards are to be employed to protect the surrounding area, and that there are no reasonable alternative locations for the use.
2. All uses in the waterfront district are intended to be water-related or water-dependent except that upland uses may be non-water-related.
3. No industrial use shall be of a nature which is noxious or injurious to nearby properties by reason of smoke, emission of dust, refuse matter, odor, gases, fumes, noise, vibration or similar conditions.
4. Uses listed as conditional uses in the GI and LI zones may be considered, but not necessarily approved, on a case-by-case basis.
5. When associated with a water-related principal use.
6. Small scale convenience stores subordinate to principal permitted uses.
7. Motor vehicles and boat dealers permitted on a short-term basis.
8. Kiosks, outdoor restaurants, portable structures such as food stands and other temporary structures that are clearly incidental to the primary use on the lot are permitted uses. Mobile food carts on wheels are permitted uses on private property. Kiosks, outdoor restaurants, portable structures such as food stands and other temporary structures that are not clearly incidental to the primary use on the lot are conditional uses.
9. Commercial home horticulture conditional use permits governed by Section 22.24.025.

(Ord. 16-14 § 4, 2016; Ord. 16-11 § 4 (part), 2016; Ord. 15-42 § 4 (part), 2015; Ord. 15-08 § 4 (part), 2015; Ord. 14-38A § 6, 2014; Ord. 14-21 § 4 (part), 2014; Ord. 13-14A § 4 (part), 2013; Ord. 12-31A §§ 4(E), (F), 2012; Ord. 11-34 § 4, 2011; Ord. 11-31 § 4, 2011; Ord. 11-04S § 4(A), 2011; Ord. 10-32 § 4, 2010; Ord. 10-12 § 4 (part), 2010; Ord. 09-78 § 4, 2010; Ord. 09-51 §§ 4(A), (B), (D), 2009; Ord. 08-44 § 4, 2008; Ord. 08-30 § 4, 2008; Ord. 07-08 § 4 (part), 2007; Ord. 06-24 § 4, 2006; Ord. 06-09 § 4, 2006; Ord. 06-06 § 4(A), (B), (G), (H), (I), 2006; Ord. 05-47 § 4(B), 2005; Ord. 05-16 § 4(A), (B), (C), (D), (E), (F), (G), (H), (I), (J), (K), (L), (M), (N), 2005; Ord. 05-09 § 4(A), 2005; Ord. 05-03 § 4(A), 2005; Ord. 04-60 § 4(A), (B), (E), (I), (O), (P), (Q), (V), 2004; Ord. 03-1750 § 4 (part), 2003; Ord. 03-1746 § 4 (part), 2003; Ord. 02-1683 § 4 (part), 2002.)

22.16.016 Accessory uses.

A. Intent. Certain uses are incidental and supportive of the principal use. These are indicated for each zoning district in the following table.

Table 22.16.016-1

Accessory Uses

PERMITTED ACCESSORY USES	ZONES
Accessory buildings such as garages and sheds	All zones
Required automobile parking in conjunction with permitted principal or conditional uses	All zones
Off-street parking for one commercial truck or van used for commuting	All residential zones
Required loading facilities	All zones
Utility installations except solid waste disposal facilities and water storage dams	All zones
Home occupations as defined by Section 22.20.060	All residential zones
Private outside storage of small noncommercial trucks, boats, recreational vehicles in required setbacks no closer than five feet to the property line	All residential zones
Parks, playgrounds and open space for informal recreation	All residential zones
Accessory uses incidental to any permitted use	All nonresidential zones
One small private recreational cabin per lot in addition to the single principal structure	GI, LI and OS zones
One single unit watchman or caretaker dwelling	P and I zones
Boardwalks	R zone

(Ord. 06-06 § 4(F), 2006; Ord. 03-1750 § 4 (part), 2003; Ord. 02-1683 § 4 (part), 2002.)

Warning: Title reports are only current as of the date issued. Adjudicator must check for new information using the Recorder's Office database and LAS prior to making any decisions. A new title report needs to be requested if existing title report is more than one year old.

Title Researched by **Elizabeth D. Kleweno**
State of Alaska
Realty Services Section Title Unit
Phone: 375-7732

Title Report RPT # 7651
ADL No. 108062
Nakwasina Sound

Current as of 4/15/2015

1. REQUESTOR:

Nikki Potter
Land Disposals - Subdivisions

2. PROVIDE COPY OF COMPLETED REPORT TO:

Nikki Potter
Tim Shilling
George Horton
Mark Hall

3. TITLE IS VESTED IN:

State of Alaska

The State owns the land and mineral estates of the project area. All known third party interests are listed within this report.

4. THE LAND REFERRED TO IN THIS REPORT IS DESCRIBED AS FOLLOWS:

T. 54 S., R. 63 E., C.R.M.

Section 28: SW1/4

Section 33: NW1/4, W1/2NE1/4, NW1/4SE1/4

5. TITLE CHAIN:

- Tentative Approval dated 8/1/1995. Issued for the land and mineral estates to the State of Alaska. Excepting and Reserving to the United States:
 - A right-of-way thereon for ditches or canals constructed by the authority of the United States. Act of August 30, 1890, 26 Stat. 391, 43 U.S.C. 945 (1988); and
 - The following Aid to Navigation Site appropriated by the United States, over or upon the lands, together with the right of the United States, its officers, employees, agents, contractees, lessees, permissess, or assignees to the complete enjoyment of all rights privileges, and benefits previously granted, issued, reserved or appropriated under the Alaska National Interest Lands Conservation Act of December 2, 1980, 94 Stat. 2371 at 2442, 43 U.S.C. 1635(l) (1988);
 - A Navigation Site known as Lisianski Peninsula Light House located at the intersection of latitude 57°09'00" N by 135°24'30" W, in Sec. 33, T. 54 S., R. 63 E., Copper River Meridian, measuring approximately fifteen (15) feet square, maintained by the U.S. Coast Guard, including the right of access for ingress and egress by boat or helicopter and the right to maintain an arc of visibility for the aid.

Note: Title Report will only list active interests of record found in the following public records:

6. BLM RECORDS:

- Master Title Plat (MTP) T. 54 S., R. 63 E., C.R.M. current to 3/27/2013
 - AA71690 State Selection Tentative Approval
 - Linianski Peninsula Light House
 - Entire Township, Tongass National Forest
- Spatial Data Management System (SDMS) reviewed on 4/15/2015
 - AA 071690, Community Grant Forest, Tentative Approval 19950056

7. STATE CASE FILE IS: NFCG 304

8. DNR LAND ADMINISTRATION RECORDS:

- Classifications:
 - MO 1045, Mineral Order
 - MO 1118, Mineral Order
 - Area plans and the status of plan revisions affecting classifications are available on the following site: <http://dnr.alaska.gov/mlw/planning/>. Hard copies of published area plans are available in Suite 1050 of the Atwood Building. The most current land classifications may not appear on the State Status Plats or in LAS. Be sure and verify current land classifications with the pertinent area plan. Any questions concerning area plans or classifications should be directed to the Planning Unit at 269-8534.
- Surface Activity:
 - ADL 108062, Land Sale Project, Auction Brochure, Initial Status, DMLW Land Sales and Contract Administration, **Title Report Project Area**
- Sub-Surface Activity:
 - No records found
- Pending Actions:
 - Query returned no data
- Division of Oil and Gas Lease Records:
 - No records found.

9. NAVIGABILITY DETERMINATION:

State Navigability Determination:

- Was not addressed in State Selection File NFCG 304. Contact the PAAD Unit at 269-6008 for further information.

Federal Navigability Determination:

- In a Memorandum dated 11/6/2003, it was determined that there are no navigable inland waters in the township. Contact the PAAD Unit at 269-6008 for further information.

10. STATE RECORDER'S OFFICE:

A search of the records of the State Recorder's Office for the **Sitka** Recording District at 11:30 AM on 4/15/2015 indicated the following actions against the Title Report Project Area:

- Tentative Approval, recorded in Book 116 Page 802

The following liens were found when searching under the name: N/A

- N/A

11. RESEARCH RESOURCES/ATTACHMENTS:

The following resources were used in the preparation of this title report:

- Alaska Mapper for Land Estate, Mineral Estate and Ownership created 4/15/2015
- BLM Master Title Plat (MTP) T. 54 S., R. 63 E., C.R.M. current to 03/27/2013
- USRS T. 54 S., R. 63 E., C.R.M. officially filed 6/9/1986
- Recorder's Office documents listed in item 10

- State Selection File NFCG 304
- BLM Spatial Data Management System (SDMS)
- DNR Land Administration System (LAS)
- DNR Spatial Case Information Management System (SCIMS)
- State of Alaska Recorder's Office Database
- DNR Business Reporting System (DBRS)
- Navigability Determination

12. SUMMARY OF TITLE/SPECIAL CONCERNS/COMMENTS:

The State of Alaska, holds fee title to the *land and mineral estates* for the Title Report Project Area as described in this title report under **Tentative Approval dated 8/1/1995** subject to valid existing rights, including reservations, easements, and exceptions in the U.S. Patent or other state or federal conveyance, and in acts authorizing the issue thereof, easements, rights-of-way, covenants, conditions, reservations, notes on the plat, and restrictions of record, if any, including, but not limited to, those set out in items 5, 8 and 10.

A Title Report is not a substitute for analysis of an ADL case file. It will not tell you whether a contemplated land action is advisable, if a permit should be issued, or if land should be offered for sale. It will tell you if the State owns the land in question and what interest others may have in the land. It is up to the requestor to use this information to make their decisions.

NOTE: Be sure to check the Pending Actions (SCIMS) for any actions that do not appear in Alaska Mapper, issued subsequent to this report.

NOTE: This report is intended for internal State uses only. Not for distribution to or use by the general public.



CITY AND BOROUGH OF SITKA

Legislation Details

File #: 16-153 Version: 1 Name:

Type: Item Status: AGENDA READY

File created: 8/17/2016 In control: City and Borough Assembly

On agenda: 8/23/2016 Final action:

Title: Approve a standard marijuana cultivation facility license for Jeremy J. Erickson dba Vern's Wicked Weed at 3872 Halibut Point Road Bay One

Sponsors:

Indexes:

Code sections:

Attachments: [Marijuana Erickson.pdf](#)

Date	Ver.	Action By	Action	Result
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POSSIBLE MOTION

I MOVE TO approve a standard marijuana cultivation facility license for Jeremy J. Erickson dba Vern's Wicked Weed at 3872 Halibut Point Road Bay One and forward this approval to the Alcohol and Marijuana Control Office without objection.



City & Borough of Sitka
Municipal Clerk's Office
100 Lincoln Street, Sitka AK 99835
Telephone: 907-747-1811 Fax: 907-747-4004



Memorandum

To: Mayor McConnell and Assembly Members
From: Sara Peterson, Municipal Clerk
Date: August 18, 2016
Subject: Application for New Marijuana Cultivation Facility License

Attached you will find a notification, and additional information, from the Alcohol and Marijuana Control Office of an application for a new marijuana cultivation facility license for the following applicant:

License #:	10071
License Type:	Standard Marijuana Cultivation Facility
Licensee/Applicant:	Jeremy J. Erickson
D.B.A.:	Vern's Wicked Weed
Physical Address:	3872 Halibut Point Road Bay One; Sitka, AK
Designated Licensee:	Jeremy J. Erickson

The applicant was granted a conditional use permit for a cultivation facility by the Planning Commission on June 21, 2016. The motion passed unanimously by a 5-0 vote.

A notice was published in the local newspaper and posted to the establishment. In addition, a memo was circulated to the various municipal departments who may have a reason to protest. No departmental objections were received.

Recommendation: Approve the standard marijuana cultivation facility license for Jeremy J. Erickson dba Vern's Wicked Weed and forward this approval to the Alcohol and Marijuana Control Office without objection.

J

Public hearing and consideration of a conditional use permit request for marijuana cultivation at 3872 Halibut Point Road. The property is also known as Lot 4 Salmon Subdivision. The request is filed by Jeremy Erickson. The owners of record are Marcus and Faith Lee.

Scarcelli described the request. The proposed building currently houses metal fabrication and storage. The property is adjacent to residential, recreational, and commercial uses. The golf course and Halibut Point Recreation Area are within the 500 foot buffer. Staff recommends denial due to the uses within the buffer and disharmony with recreational and residential uses. Hughey asked if it is up to the Commission to determine what entails recreational uses, and Scarcelli stated that the state is giving great deference to local government bodies. Hughey stated that welding and auto shops cause greater health impacts than marijuana cultivation. Pohlman stated that she does not view the HPR Rec as a "recreational center." Scarcelli read the state's definition of recreational center. Hughey stated that customers will not come and go, but is merely an indoor farm for marijuana. Commissioners agreed by consensus that the Rec and golf course are not sensitive uses.

Jeremy Erickson handed out packets regarding sensitive uses. Erickson stated that alcohol is consumed at the HPR Rec and the golf course. Erickson clarified that the photos in the commissioner packet do not adequately show the entrance to the facility, and shared photos. Hughey asked if marijuana would be distributed to local retailers, and Erickson stated that it would be sold wholesale. Windsor asked about ventilation. Erickson stated that there would be sound dampeners and double charcoal filters to be replaced annually. Erickson stated that nutrients would be stored in sealed containers. Erickson stated that he hopes to produce 100 pounds annually, and hopes to hone in on a niche market for organic product. Erickson stated that an additional parking plan would not be a problem, but the lot is not paved.

Morgan Doubleday asked how many employees would be expected. Erickson stated that it would be himself and possibly a person to fill in when he's out of town. Faith Lee, property owner, stated that there are residential renters on the lot, and they are okay with the proposal. Lee stated that each residence has 2-4 parking spaces. Lee stated that the applicant is an upstanding person. Zak Wass stated that alcohol use on at the Rec and golf course have greater impact than marijuana cultivation.

Windsor stated that it is a good location. Hughey stated that Sitka is so small and there are many places with mixed uses. Spivey stated that he may have been concerned if residential neighbors voiced concern, but no comment has been received. Hughey clarified that the commission views the Rec as a broad area rather than a recreation center. Pohlman stated that people of all ages use the Rec and golf course, not just children. Windsor stated that the commission approved permits at the same plaza as a movie theater.

Windsor/Hughey moved to APPROVE findings that there are no negative impacts present that have not been adequately mitigated by the attached conditions of approval.

C. Required Findings for Conditional Use Permits. The planning commission shall not recommend approval of a proposed development unless it first makes the following findings and conclusions:

1. The city may use design standards and other elements in this code to modify the proposal. A conditional use permit may be approved only if all of the following findings can be made regarding the proposal and are supported by the record that the granting of the proposed conditional use permit will not:
 - a. Be detrimental to the public health, safety, and general welfare;
 - b. Adversely affect the established character of the surrounding vicinity; nor
 - c. Be injurious to the uses, property, or improvements adjacent to, and in the vicinity of, the site upon which the proposed use is to be located.
2. The granting of the proposed conditional use permit is consistent and compatible with the intent of the goals, objectives, and policies of the comprehensive plan and any implementing regulation.
3. All conditions necessary to lessen any impacts of the proposed use are conditions that can be monitored and enforced.
4. The proposed use will not introduce hazardous conditions at the site that cannot be mitigated to protect adjacent properties, the vicinity, and the public health, safety, and welfare of the community from such hazard.
5. The conditional use will be supported by, and not adversely affect, adequate public facilities and services; or that conditions can be imposed to lessen any adverse impacts on such facilities and services.
6. Burden of Proof. The applicant has the burden of proving that the proposed conditional use meets all of the criteria in subsection B of this section.

The city may approve, approve with conditions, modify, modify with conditions, or deny the conditional use permit. The city may reduce or modify bulk requirements, off-street parking requirements, and use design standards to lessen impacts, as a condition of the granting of the conditional use permit. In considering the granting of a conditional use, the assembly and planning commission shall satisfy themselves that the general criteria set forth for uses specified in this chapter will be met. The city may consider any or all criteria listed and may base conditions or safeguards upon them. The assembly and planning commission may require the applicant to submit whatever reasonable evidence may be needed to protect the public interest. The general approval criteria are as follows:

1. Site topography, slope and soil stability, geophysical hazards such as flooding, surface and subsurface drainage and water quality, and the possible or probable effects of the proposed conditional use upon these factors;
2. Utilities and service requirements of the proposed use, including sewers, storm drainage, water, fire protection, access and electrical power; the assembly and planning commission may enlist the aid of the relevant public utility officials with specialized knowledge in evaluating the probable effects of the proposed use and may consider the costs of enlarging, upgrading or extending public utilities in establishing conditions under which the conditional use may be permitted;
3. Lot or tract characteristics, including lot size, yard requirements, lot coverage and height of structures;
4. Use characteristics of the proposed conditional use that affect adjacent uses and districts, including hours of operation, number of persons, traffic volumes, off-street parking and loading characteristics, trash and litter removal, exterior lighting, noise, vibration, dust, smoke, heat and humidity, recreation and open space requirements;
5. Community appearance such as landscaping, fencing and screening, dependent upon the specific use and its visual impacts.

Specific Guidance from 22.24 on Findings for Marijuana Uses

Findings of Fact: Upon review and considerations of the required criteria, the Planning Commission shall determine whether the proposed use(s) at the proposed project location are found to not present a negative impact to the public's health, safety, and welfare.

- 1. If such a finding can be made, than the proposed use shall be approved with standard regulations, dimensions, and setbacks.**
- 2. In the alternative, where the Planning Commission finds negative impacts are present, the Planning Commission shall only approve conditional use permits where the negative impacts can be adequately mitigated by conditions of approval that preserve the public's health, safety, and welfare. These conditions of approval shall be case by case specific and in addition to the standard regulations.**
- 3. If negative impacts to the public's health, safety, and welfare cannot be mitigated through conditions of approval than the Planning Commission shall so find and deny the proposed conditional use permit.**

Motion PASSED 5-0.

Windsor/Parker Song moved to APPROVE the conditional use permit, subject to the attached conditions of approval, filed for marijuana cultivation at 3872 Halibut Point Road. The property is also known as Lot 4 Salmon Subdivision. The request is filed by Jeremy Erickson. The owners of record are Marcus and Faith Lee.

Conditions of Approval:

- 1. Owners, operators, and staff of conditional uses shall comply with all state and municipal licensing regulations.**
- 2. All licensed facilities shall comply with all life and safety regulations as promulgated by the municipal Building Official.**
- 3. All licensed manufacturing and cultivation uses shall provide a fire safety plan, material handling plan, and comply with all fire safety regulations that satisfies the Fire Marshal or their designee and the Building Official.**
- 4. All licensed facilities and/or uses shall provide screening from public view of any marijuana related commercial, retail, cultivation, or manufacturing use.**
- 5. All licensed facilities and/or uses shall establish an active sales account and business registration with the Municipality and shall comply with all standard & required accounting practices.**
- 6. It shall be a standard regulation that all conditional uses comply with all applicable state regulations and licensing laws or it shall be deemed to abandon and extinguish and associated municipal license or conditional use permit.**
- 7. All approved Conditional use permits shall comply with all Sitka General Code or shall be deemed to abandon and extinguish any associated municipal license or conditional use permit.**
- 8. Applicant shall provide a Parking Plan that complies with Section 22.20.100 for all uses present and proposed at the current property including striped parking spaces where practical.**
- 9. Odor Control shall include charcoal filters and other best means to limit and mitigate odor impacts to surrounding uses. Should a meritorious odor complaint be received the Planning Commission may require additional odor control measures to mitigate any actual negative impacts.**
- 10. The proposed cultivation site shall not be located within 500 feet of any school grounds, recreation or youth center, religious service building, or correctional facility that was legally established prior to approval of this**

conditional use permit as intended by licensing restriction and regulations of the state in 3 AAC Chapter 306.

11. The conditional use permit may be reviewed by the Planning Commission at anytime upon receipt of a meritorious complaint.

12. The applicant shall provide an annual report every year.

Motion PASSED 5-0.

LEGAL NOTICE
New Standard Marijuana Cultivation Facility License

The City and Borough of Sitka has received a request for a new standard marijuana cultivation facility license application submitted by Jeremy J Erickson dba Vern's Wicked Weed for 3872 Halibut Point Road - Bay One; Sitka, AK.

The City and Borough of Sitka will consider this application at the Assembly Meeting of August 23, 2016 at 6:00 pm at 1332 Seward Avenue – University of Alaska Southeast. Any protest may be lodged either prior to or at that time.

Sara Peterson, CMC, Municipal Clerk

Publish: 8/12/16



City & Borough of Sitka
Municipal Clerk's Office
100 Lincoln Street, Sitka AK 99835
Telephone: 907-747-1811 Fax: 907-747-4004



Memorandum

To: Planning Department
Collections -
Municipal Billings – Lindsey/Larry
Sales Tax/Property Tax – Hannah
Utility Billing Clerk – Diana
Public Works Department – Mark and Shilo

Fire Department
Police Department
Electric Department
Building Official

From: Sara Peterson, Municipal Clerk

Date: August 9, 2016

Subject: New Marijuana Cultivation Facility License

The Municipal Clerk's Office has been notified by the Alcohol and Marijuana Control Office of a new marijuana cultivation facility license submitted by:

License #: 10071
License Type: Standard Marijuana Cultivation Facility
Licensee/Applicant: Jeremy J Erickson
D.B.A.: Vern's Wicked Weed
Physical Address: 3872 Halibut Point Road Bay One; Sitka, AK
Designated Licensee: Jeremy J Erickson

Please notify me **no later than noon on Monday, August 15th** of any reason to protest this request. This license is scheduled to go before the Assembly on August 23rd.

Thank you.



THE STATE
of **ALASKA**
GOVERNOR BILL WALKER

Department of Commerce, Community,
and Economic Development

ALCOHOL & MARIJUANA CONTROL OFFICE
550 West 7th Avenue, Suite 1600
Anchorage, AK 99501
Main: 907.269.0350

August 8, 2016

City and Borough of Sitka
Attn: Sara Peterson
VIA Email: sara.peterson@cityofsitka.org
Cc: Melissa.henshaw@cityofsitka.org
Maegan.bosak@cityofsitka.org
Michael.scarcelli@cityofsitka.org
Robin.koutchak@cityofsitka.org
Reuben.verkes@cityofsitka.org
planning@cityofsitka.org

License Number:	10071
License Type:	Standard Marijuana Cultivation Facility
Licensee:	JEREMY J ERICKSON
Doing Business As:	VERN'S WICKED WEED
Physical Address:	3872 Halibut Point Road Bay One Sitka, AK 99835
Designated Licensee:	JEREMY J ERICKSON
Phone Number:	907-738-4456
Email Address:	Vern_erickson@hotmail.com

- New Application Transfer of Ownership Application Renewal Application
 Onsite Consumption Endorsement

We have received a completed application for the above listed license (see attached application documents) within your jurisdiction. This is the notice required under 3 AAC 306.025(d)(2).

A local government may protest the approval of an application(s) pursuant to 3 AAC 306.060 by furnishing the director and the applicant with a clear and concise written statement of reasons for the protest within 60 days of the date of this notice. If a protest is filed, the board will deny the application unless the board finds that the protest is arbitrary, capricious, and unreasonable. To protest the application referenced above, please submit your protest within 60 days and show proof of service upon the applicant.

3 AAC 306.010, 3 AAC 306.080, and 3 AAC 306.250 provide that the board will deny an application for a new license if the board finds that the license is prohibited under AS 17.38 as a result of an ordinance or election conducted under AS 17.38 and 3 AAC 306.200.

3 AAC 306.010(c) provides that the board will not issue a license when a local government protests an application on the grounds that the applicant's proposed licensed premises are located in a place within the local government where a local zoning ordinance prohibits the marijuana establishment, unless the local government has approved a variance from the local ordinance.

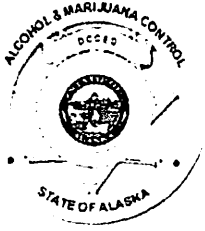
At this time, the fingerprints submitted by the applicant cannot be submitted for a criminal history report until a date to be determined by the Department of Public Safety and the Federal Bureau of Investigation based upon the effective date of the act containing enabling statutory language for such criminal history report. On April 27, 2016, the Marijuana Control Board directed me to determine applications complete based solely upon the representations made by the applicant in Form MJ-00.

Sincerely,

A handwritten signature in blue ink, appearing to read "C. Franklin", is positioned above the typed name.

Cynthia Franklin, Director

amco.localgovernmentonly@alaska.gov



Alcohol and Marijuana Control Office
 550 W 7th Avenue, Suite 1600
 Anchorage, AK 99501
marijuana.licensing@alaska.gov
<https://www.commerce.alaska.gov/web/amco>
 Phone: 907.269.0350

Alaska Marijuana Control Board

Form MJ-00: Application Certifications

What is this form?

This application certifications form is required for all marijuana establishment license applications. Each person signing an application for a marijuana establishment license must declare that he/she has read and is familiar with AS 17.38 and 3 AAC 306.

This form must be completed and submitted to AMCO's main office by each proposed licensee (as defined in 3 AAC 306.020(b)(2)) before any license application will be considered complete.

Section 1 – Establishment Information

Enter information for the business seeking to be licensed, as identified on the license application.

Licensee:	JEREMY J ERICKSON	License Number:	10071		
License Type:	Standard Marijuana Cultivation Facility				
Doing Business As:	VERN'S WICKED WEED				
Premises Address:	3872 Halibut Point Road				
City:	Sitka	State:	ALASKA	ZIP:	99835

Section 2 – Individual Information

Enter information for the individual licensee or affiliate.

Name:	Jeremy Erickson
Title:	Owner

Section 3 – Other Licenses

Ownership and financial interest in other licenses:

Yes No

Do you currently have or plan to have an ownership interest in, or a direct or indirect financial interest in another marijuana establishment license?

If "Yes", which license numbers (for existing licenses) and license types do you own or plan to own?



Alaska Marijuana Control Board

Form MJ-00: Application Certifications

What is this form?

This application certifications form is required for all marijuana establishment license applications. Each person signing an application for a marijuana establishment license must declare that he/she has read and is familiar with AS 17.38 and 3 AAC 306.

This form must be completed and submitted to AMCO's main office by each proposed licensee (as defined in 3 AAC 306.020(b)(2)) before any license application will be considered complete.

Section 1 – Establishment Information

Enter information for the business seeking to be licensed, as identified on the license application.

Licensee:	JEREMY J ERICKSON	License Number:	10071		
License Type:	Standard Marijuana Cultivation Facility				
Doing Business As:	VERN'S WICKED WEED				
Premises Address:	3872 Halibut Point Road, Bay One				
City:	Sitka	State:	AK	ZIP:	99835

Section 2 – Individual Information

Enter information for the individual licensee or affiliate.

Name:	Jeremy Erickson
Title:	Owner

Section 3 – Other Licenses

Ownership and financial interest in other licenses:

Yes No

Do you currently have or plan to have an ownership interest in, or a direct or indirect financial interest in another marijuana establishment license?

If "Yes", which license numbers (for existing licenses) and license types do you own or plan to own?



Alaska Marijuana Control Board

Form MJ-00: Application Certifications

Section 4 – Certifications

Read each line below, and then sign your initials in the box to the right of each statement:

Initials

I certify that I have not been convicted of a felony in any state or the United States, including a suspended imposition of sentence, for which less than five years have elapsed from the time of the conviction to the date of this application.

JE

I certify that I am not currently on felony probation or felony parole.

JE

I certify that I have not been found guilty of selling alcohol without a license in violation of AS 04.11.010.

JE

I certify that I have not been found guilty of selling alcohol to an individual under 21 years of age in violation of 04.16.051 or AS 04.16.052.

JE

I certify that I have not been convicted of a misdemeanor crime involving a controlled substance, violence against a person, use of a weapon, or dishonesty within the five years preceding this application.

JE

I certify that I have not been convicted of a class A misdemeanor relating to selling, furnishing, or distributing marijuana or operating an establishment where marijuana is consumed within the two years preceding this application.

JE

I certify that my proposed premises is not within 500 feet of a school ground, recreation or youth center, a building in which religious services are regularly conducted, or a correctional facility, as set forth in 3 AAC 306.010(a).

JE

I certify that my proposed premises is not located in a liquor licensed premises.

JE

I certify that I meet the residency requirement under AS 43.23 for a permanent fund dividend in the calendar year in which I am initiating this application.

JE

I certify that all proposed licensees (as defined in 3 AAC 306.020(b)(2)) and affiliates (as defined in 3 AAC 306.990(a)(1)) have been listed on my online marijuana establishment license application.

JE

I certify that all proposed licensees have been listed on my application with the Division of Corporations.

JE

I certify that I understand that providing a false statement on this form, the online application, or any other form provided by AMCO is grounds for denial of my application.

JE



Alcohol and Marijuana Control Office
 550 W 7th Avenue, Suite 1600
 Anchorage, AK 99501
marijuana.licensing@alaska.gov
<https://www.commerce.alaska.gov/web/amco>
 Phone: 907.269.0350

Alaska Marijuana Control Board

Form MJ-00: Application Certifications

Read each line below, and then sign your initials in the box to the right of only the applicable statement:

Initials

Only initial next to the following statement if this form is accompanying an application for a marijuana testing facility license:

I certify that I do not have an ownership in, or a direct or indirect financial interest in a retail marijuana store, a marijuana cultivation facility, or a marijuana products manufacturing facility.

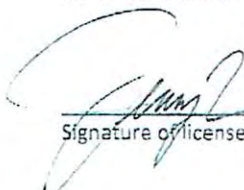
Only initial next to the following statement if this form is accompanying an application for a retail marijuana store, a marijuana cultivation facility, or a marijuana products manufacturing facility license:

I certify that I do not have an ownership in, or a direct or indirect financial interest in a marijuana testing facility license.

JE

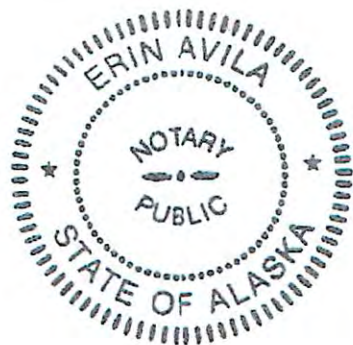
All marijuana establishment license applicants:

As an applicant for a marijuana establishment license, I declare under penalty of unsworn falsification that I have read and am familiar with AS 17.38 and 3 AAC 306, and that I have examined the online application and this form, including all accompanying schedules and statements, and to the best of my knowledge and belief find them to be true, correct, and complete.



 Signature of licensee

Subscribed and sworn to before me this 24th day of MARCH, 20 16.





Notary Public in and for the State of Alaska.

My commission expires: 05/12/2019



Alcohol and Marijuana Control Office
550 W 7th Avenue, Suite 1600
Anchorage, AK 99501
marijuana.licensing@alaska.gov
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Phone: 907.269.0350

Alaska Marijuana Control Board

Form MJ-00: Application Certifications

Read each line below, and then sign your initials in the box to the right of only the applicable statement:

Initials

Only initial next to the following statement if this form is accompanying an application for a marijuana testing facility license:

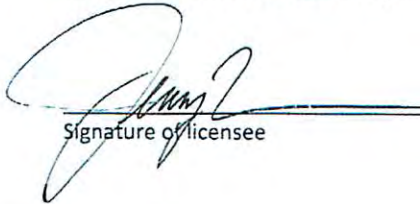
I certify that I do not have an ownership in, or a direct or indirect financial interest in a retail marijuana store, a marijuana cultivation facility, or a marijuana products manufacturing facility.

Only initial next to the following statement if this form is accompanying an application for a retail marijuana store, a marijuana cultivation facility, or a marijuana products manufacturing facility license:

I certify that I do not have an ownership in, or a direct or indirect financial interest in a marijuana testing facility license.

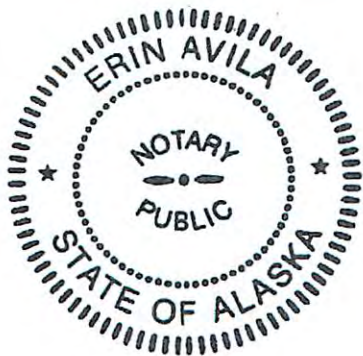
All marijuana establishment license applicants:

As an applicant for a marijuana establishment license, I declare under penalty of unsworn falsification that I have read and am familiar with AS 17.38 and 3 AAC 306, and that I have examined the online application and this form, including all accompanying schedules and statements, and to the best of my knowledge and belief find them to be true, correct, and complete.



Signature of licensee

Subscribed and sworn to before me this 29TH day of MARCH, 20 14.





Notary Public in and for the State of Alaska.

My commission expires: 05/12/2019



Alaska Marijuana Control Board

Form MJ-01: Marijuana Establishment Operating Plan**What is this form?**

An operating plan is required for all marijuana establishment license applications. Applicants should review **Title 17.38 of Alaska Statutes** and **Chapter 306 of the Alaska Administrative Code**. This form will be used to document how an applicant intends to meet the requirements of those statutes and regulations. If your business has a formal operating plan, you may include a copy of that operating plan with your application, but all fields of this form must still be completed per 3 AAC 306.020(c).

What must be covered in an operating plan?

Applicants must identify how the proposed premises will comply with applicable statutes and regulations regarding the following:

- Security
- Inventory tracking of all marijuana and marijuana product on the premises
- Employee qualification and training
- Waste disposal
- Transportation and delivery of marijuana and marijuana products
- Signage and advertising
- Control plan for persons under the age of 21

Applicants must also complete the corresponding operating plan supplemental forms (**Form MJ-03, Form MJ-04, Form MJ-05, or Form MJ-06**) to meet the additional operating plan requirements for each license type.

Section 1 – Establishment Information

Enter information for the business seeking to be licensed, as identified on the license application.

Licensee:	JEREMY J ERICKSON	License Number:	10071		
License Type:	Standard Marijuana Cultivation Facility				
Doing Business As:	VERN'S WICKED WEED				
Premises Address:	3872 Halibut Point Road, Bay One				
City:	Sitka	State:	AK	ZIP:	99835
Mailing Address:	3870B Halibut Point Road				
City:	Sitka	State:	ALASKA	ZIP:	99835
Primary Contact:	Jeremy Erickson				
Main Phone:	907-738-4456	Cell Phone:			
Email:	Vern_erickson@hotmail.com				



Alaska Marijuana Control Board

Form MJ-01: Marijuana Establishment Operating Plan

Section 2 – Security

Review the requirements under 3 AAC 306.710 – 3 AAC 306.720 and 3 AAC 306.755, and identify how the proposed premises will meet the listed requirements.

Describe how the proposed premises will comply with each of the following:

Restricted Access Areas (3 AAC 306.710):

Describe how you will prevent unescorted members of the public from entering restricted access areas:

The entire cultivation facility is a restricted access area. The only entrance to the cultivation facility is a steel security door that has a commercial electronic lock that requires a code to open from the outside. The door remains closed at all times. The lock is automatically locked from entering from the outside. No one without a code will be able to open the door or be able to access the restricted area. Signage will be posted on the entrance door for the cultivation facility stating "Restricted access area, Visitors must be escorted."

Describe your processes for admitting visitors into and escorting them through restricted access areas:

Visitors must ring the door bell located outside the cultivation facility. Once an employee verifies visually through the peep hole that there is not a security risk, employees will open the security door and greet the visitor outside the restricted access area. All visitors will be required to show a valid ID to verify identity and proof of over 21 year of age prior to being issued a visitor ID and prior to being allowed to enter the cultivation facility. No more than five visitors shall be escorted by one employee at the same time.



Alaska Marijuana Control Board

Form MJ-01: Marijuana Establishment Operating Plan

Describe your recordkeeping of visitors who are escorted into restricted access areas:

All visitors will be recorded in the visitor log book. Recording the visitors name, date, time, and employee's name escorting visitors and whom verified the age and ID of the visitors. The number on the visitor badge issued will also be recorded. Upon being escorted out of the cultivation facility, the licensee or employee shall verify the number on the returned visitor ID badge to ensure all visitor IDs are returned. The return of the ID badge will also be documented in the log by the employee.

Provide a copy of a sample identification badge to be displayed by each licensee, employee, or agent while on the premises:





Alaska Marijuana Control Board

Form MJ-01: Marijuana Establishment Operating Plan

Security Alarm Systems and Lock Standards (3 AAC 306.715):

Exterior lighting is required to facilitate surveillance. Describe how the exterior lighting will meet this requirement:

The exterior of building in which the cultivation facility is located has a exterior photocell sensor security light. The interior entrance to the cultivation facility has a motion activated light to enhance security and surveillance.

An alarm system is required for all license types. Describe the security alarm system for the proposed premises:

The security alarm system used when the facility is closed has a sensor on the exterior entrance which is a steel security door. There are no windows in the facility. Passive infrared motion detectors monitor the entrance, security room, work room, and drying room. If the door sensor or motion sensors detect a breach, the system auto-dials law enforcement, the licensee, and authorized employees. A loud audible alarm is also triggered. The system also includes a fire alarm system that also auto-dials upon being triggered.

The alarm system must be activated on all exterior doors and windows when the licensed premises is closed for business. Describe how the security alarm system meets this requirement:

The cultivation facility does not contain any windows. The only exterior door is the steel security entrance door to the cultivation facility which has a door contact alarm sensor which triggers the alarm system. The alarm is to be set at all times when there is not any one present in the cultivation facility.



Alaska Marijuana Control Board

Form MJ-01: Marijuana Establishment Operating Plan

Alcohol and Marijuana Control Office
550 W 7th Avenue, Suite 1600
Anchorage, AK 99501
marijuana.licensing@alaska.gov
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Phone: 907.269.0350

Describe your policies and procedures for preventing diversion of marijuana or marijuana product:

In addition to using the Franwell's METRC tracking system, all harvested marijuana is stored in the locked humidity controlled drying room which only the licensee has a key and access. Any employees or visitors will be prohibited from entering the cultivation facility with any back packs, excessively loose clothing, hoodies, or clothing that could be used to attempt to conceal any marijuana or marijuana product. Employees are notified that routine random reviewing of security camera footage will be viewed by licensee to deter theft. All marijuana product that leaves the cultivation facility will have the shipping manifests, RFID tags, tamper evident storage bags, and a locked transport container prevents any possibility of diversion of marijuana product.

Describe your policies and procedures for preventing loitering:

All property on which the grow facility is located on is private property. The employee policy to address any possible issues of loitering is to first verbally address any loiterers and inform them that this is private property and ask to leave the property. If any loiterers fail to adhere to being verbally informed, policy is to then involve local law enforcement. No Loitering signage will be posted on exterior of cultivation facility.

Describe your policies and procedures regarding the use of any additional security device, such as a motion detector, pressure switch, and duress, panic, or hold-up alarm to enhance security of the proposed premises:

The security system in the facility also includes a panic button, which is strategically located inside the facility entrance, so that if needed employees may trigger the alarm without being noticed by perpetrators.



Alaska Marijuana Control Board

Form MJ-01: Marijuana Establishment Operating Plan

Describe your policies and procedures regarding the actions to be taken by a licensee, employee, or agent when any automatic or electronic notification system alerts a local law enforcement agency of an unauthorized breach of security:

Upon notification of a possible breach of security, the licensee or authorized employee will remotely access and view the cultivation facilities security cameras to visually verify any intruders or a possible false alarm. If intruders or evidence of unauthorized entry is observed while remotely accessing the security cameras, local law enforcement will be immediately called to inform the officers of the number, location of intruders, description of intruders, and if they appeared armed in order to assist and protect the safety of responding police officers. Only If there is no obvious signs of attempted forced entry and clearly no intruders after reviewing all the security cameras remotely, the licensee or authorized employee will notify law enforcement immediately that it appears to be a false alarm, and meet law enforcement at the cultivation facility to disarm the alarm and allow law enforcement access to the cultivation facility if needed to verify it was a false alarm.

Video Surveillance (3 AAC 306.720):

All licensed marijuana establishments must meet minimum standards for surveillance equipment. Applicants should be able to answer "Yes" to all items below.

Video surveillance and camera recording system covers the following areas of the premises:

Yes No

Each restricted access area and each entrance to a restricted access area

Both the interior and exterior of each entrance to the facility

Each point of sale area

Each video surveillance recording:

Yes No

Is preserved for a minimum of 40 days, in a format that can be easily accessed for viewing

Clearly and accurately displays the time and date

Is archived in a format that does not permit alteration of the recorded image, so that the images can readily be authenticated



Alaska Marijuana Control Board

Form MJ-01: Marijuana Establishment Operating Plan

Describe how the video cameras will be placed to produce a clear view adequate to identify any individual inside the licensed premises, or within 20 feet of each entrance to the licensed premises:

Security cameras are mounted on both the interior and exterior ceiling and provide a clear high resolution unblocked view of the entrance. Dual coverage of many areas is provided by additional wall and ceiling mounted cameras in each room in the facility. Cameras are placed to avoid any obstruction of view from hoods or other items.

Describe the locked and secure area where video surveillance recording equipment and records will be housed and stored and how you will ensure the area is accessible only to authorized personnel, law enforcement, or an agent of the board:

The video surveillance recorder and records are located in the designated locked security room which only the licensee and authorized employee have access to. The video surveillance recorder is placed in a locking metal cabinet which only the licensee has a key for.

Location of Surveillance Equipment and Video Surveillance Records:

Yes No

Surveillance room or area is clearly defined on the premises diagram

Surveillance recording equipment and video surveillance records are housed in a designated, locked, and secure area or in a lock box, cabinet, closet or other secure area

Surveillance recording equipment access is limited to a marijuana establishment licensee or authorized employee, and to law enforcement personnel including an agent of the board

Video surveillance records are stored off-site



Alaska Marijuana Control Board

Form MJ-01: Marijuana Establishment Operating Plan

Business Records (3 AAC 306.755):

All licensed marijuana establishments must maintain, in a format that is readily understood by a reasonably prudent business person, certain business records. Applicants should be able to answer "Yes" to all items below.

Business Records Maintained and Kept on the Licensed Premises:

Yes No

All books and records necessary to fully account for each business transaction conducted under its license for the current year and three preceding calendar years; records for the last six months are maintained on the marijuana establishment's licensed premises; older records may be archived on or off-premises

A current employee list setting out the full name and marijuana handler permit number of each licensee, employee, and agent who works at the marijuana establishment

The business contact information for vendors that maintain video surveillance systems and security alarm systems for the licensed premises

Records related to advertising and marketing

A current diagram of the licensed premises including each restricted access area

A log recording the name, and date and time of entry of each visitor permitted into a restricted access area

All records normally retained for tax purposes

Accurate and comprehensive inventory tracking records that account for all marijuana inventory activity from seed or immature plant stage until the retail marijuana or retail marijuana product is sold to a consumer, to another marijuana establishment, or destroyed

Transportation records for marijuana and marijuana product as required under 3 AAC 306.750(f)



Alaska Marijuana Control Board

Form MJ-01: Marijuana Establishment Operating Plan

A marijuana establishment is required to exercise due diligence in preserving and maintained all required records.

Describe how you will prevent records and data, including electronically maintained records, from being lost or destroyed:

Electronically stored data is backed up automatically to an external flash drive and using cloud. All paper documents and records are kept in a locked filing cabinet in locked the security room.



Alaska Marijuana Control Board

Form MJ-01: Marijuana Establishment Operating Plan

Section 3 – Inventory Tracking of All Marijuana and Marijuana Product

Review the requirements under 3 AAC 306.730, and identify how the proposed establishment will meet the listed requirements.

All licensed marijuana establishments must use a marijuana inventory tracking system capable of sharing information with the system the board implements to ensure all marijuana cultivated and sold in the state, and each marijuana product processed and sold in the state, is identified and tracked from the time the marijuana propagated from seed or cutting, through transfer to another licensed marijuana establishment, or use in manufacturing a product, to a completed sale of marijuana or marijuana product, or disposal of the harvest batch of marijuana or production lot of marijuana product.

Applicants should be able to answer “Yes” to all items below.

Marijuana Tracking and Weighing:

Yes No

A marijuana inventory tracking system, capable of sharing information with the system the board implements to ensure tracking for the reasons listed above, will be used

All marijuana delivered to a marijuana establishment will be weighed on a scale certified in compliance with 3 AAC 306.745

Describe the marijuana tracking system that you plan to use and how you will ensure that it is capable of sharing information with the system the board implements:

The marijuana tracking system to be used in the cultivation facility is Franwell's METRC system. Internet access on the computer in the security room will ensure the system is capable of sharing the system data with the board.



Alaska Marijuana Control Board

Form MJ-01: Marijuana Establishment Operating Plan

Section 4 – Employee Qualification and Training

Review the requirements under 3 AAC 306.700, and identify how the proposed establishment will meet the listed requirements.

A marijuana establishment and each licensee, employee, or agent of the marijuana establishment who sells, cultivates, manufactures, tests, or transports marijuana or a marijuana product, or who checks the identification of a consumer or visitor, shall obtain a marijuana handler permit from the board before being licensed or beginning employment at a marijuana establishment.

Applicants should be able to answer “Yes” to all items below.

Marijuana Handler Permit:

Yes No

Each licensee, employee, or agent of the marijuana establishment who sells, cultivates, manufactures, tests, or transports marijuana or marijuana product, or who checks the identification of a consumer or visitor, shall obtain a marijuana handler permit from the board before being licensed or beginning employment at the marijuana establishment

Each licensee, employee, or agent who is required to have a marijuana handler permit shall keep that person’s marijuana handler permit card in that person’s immediate possession (or a valid copy on file on the premises of a retail marijuana store, marijuana cultivation facility, or marijuana product manufacturing facility) when on the licensed premises

Each licensee, employee, or agent who is required to have a marijuana handler permit shall ensure that that person’s marijuana handler permit card is valid and has not expired

Describe how your establishment will meet the requirements for employee qualifications and training:

When available from the board, the licensee and any future candidate for employment will complete a marijuana handler permit education course approved by the board, pass a written test demonstrating an understanding of the course material, and obtain a certificate of course completion from the course provider. The licensee and employees are required to have their current marijuana handler permit card and employee ID on their immediate possession at all times. No persons shall be employed prior to obtaining and presenting proof of a current marijuana handlers permit. A copy of the licensee and any employees marijuana handler permit will be stored in the secure filing cabinet in the security room.



Alaska Marijuana Control Board

Form MJ-01: Marijuana Establishment Operating Plan

Section 5 – Waste Disposal

Review the requirements under 3 AAC 306.740, and identify how the proposed establishment will meet the listed requirements.

Applicants should be able to answer “Yes” to the statement below.

Marijuana Waste Disposal:

Yes

No

The marijuana establishment shall give the board at least 3 days notice in the marijuana inventory tracking system required under 3 AAC 306.730 before making the waste unusable and disposing of it

Describe how you will store, manage, and dispose of any solid or liquid waste, including wastewater generated during marijuana cultivation, production, process, testing, or retail sales, in compliance with applicable federal, state, and local laws and regulations:

The establishment is a soil based marijuana cultivation facility, which virtually no waste water will be generated. Waste water from rinsing out after use to keep watering buckets or barrels sanitary after hand watering/feeding, will be disposed of via city sewer and waste water system which the sink in the facility will be connected too. Ground marijuana waste will be taken to the Granite Creek Waste Area, which is the City and Borough of Sitka's designated solid waste disposal for green waste. Any soil waste generated that is not used for personal use outside the cultivation facility for gardening, landscaping for lawns, or donated for reuse for gardeners, will also be taken to the Granite Creek Waste Area in Sitka, which is the City and Borough of Sitka's designated disposal area for overburden. All other miscellaneous waste or normal household garbage generated, such as paper towels, wrappers, etc, will be disposed of in the normal garbage cans provided and picked up curbside weekly by the local waste disposal company which are supplied for all city utilities customers. Separate labeled garbage cans are used for normal household garbage, marijuana plant waste, and solid waste.

Describe what material or materials you will mix with the ground marijuana waste to make it unusable:

Compostable materials only will be used, such as Lawn clippings, leaves, and tree trimming waste will be used.



Alaska Marijuana Control Board

Form MJ-01: Marijuana Establishment Operating Plan

Marijuana waste must be rendered unusable for any purpose for which it was grown or produced before it leaves the marijuana establishment. Describe the process or processes that you will use to make the marijuana plant waste unusable:

After notification to the board, and after the minimum of three days have passed, marijuana plant waste will be ran through a wood chipper with a equal amount of compostable non-marijuana plant material mixed in with the marijuana plant waste.



Alaska Marijuana Control Board

Form MJ-01: Marijuana Establishment Operating Plan

Section 6 – Transportation and Delivery of Marijuana and Marijuana Products

Review the requirements under 3 AAC 306.750, and identify how the proposed establishment will meet the listed requirements.

Applicants should be able to answer “Yes” to all items below.

Marijuana Transportation:	Yes	No
The marijuana establishment from which a shipment of marijuana or marijuana product originates will ensure that any individual transporting marijuana shall have a marijuana handler permit required under 3 AAC 306.700	<input checked="" type="checkbox"/>	<input type="checkbox"/>
The marijuana establishment that originates the transport of any marijuana or marijuana product will use the marijuana inventory tracking system to record the type, amount, and weight of marijuana or marijuana product being transported, the name of the transporter, the time of departure and expected delivery, and the make, model, and license plate number of the transporting vehicle	<input checked="" type="checkbox"/>	<input type="checkbox"/>
The marijuana establishment that originates the transport of any marijuana or marijuana product will ensure that a complete printed transport manifest on a form prescribed by the board must be kept with the marijuana or marijuana product at all times during transport	<input checked="" type="checkbox"/>	<input type="checkbox"/>
During transport, any marijuana or marijuana product will be in a sealed package or container in a locked, safe, and secure storage compartment in the vehicle transporting the marijuana or marijuana product, and the sealed package will not be opened during transport	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Any vehicle transporting marijuana or marijuana product will travel directly from the shipping marijuana establishment to the receiving marijuana establishment, and will not make any unnecessary stops in between except to deliver or pick up marijuana or marijuana product at any other licensed marijuana establishment	<input checked="" type="checkbox"/>	<input type="checkbox"/>
When the marijuana establishment receives marijuana or marijuana product from another licensed marijuana establishment, the recipient of the shipment will use the marijuana inventory tracking system to report the type, amount, and weight of marijuana or marijuana product received	<input checked="" type="checkbox"/>	<input type="checkbox"/>
The marijuana establishment will refuse to accept any shipment of marijuana or marijuana product that is not accompanied by the transport manifest	<input checked="" type="checkbox"/>	<input type="checkbox"/>



Alaska Marijuana Control Board

Form MJ-01: Marijuana Establishment Operating Plan

Describe how marijuana or marijuana product will be prepared, packaged, and secured for shipment:

All marijuana or marijuana product to be transported out of the cultivation facility will be packaged in Self-sealing adhesive closure tamper evident plastic bundle bags that are used by the banking industry to transport large amounts of bundled cash. The bags to be used meet Federal Reserve Bank guidelines for bank deposits and the self-sealing adhesive closure exceeds banking requirement levels of tampering evidence. Each of these bags when containing marijuana and sealed will also have the Franwell METRC RFID package tags attached. After Marijuana has been prepared for shipment, the transfer recorded in the marijuana inventory tracking system, and the transport manifest completed, the sealed bags of marijuana product will be placed in the steel transport container and padlocked before exiting the cultivation facility. The padlocked steel container with all required paperwork will be taken out of the cultivation facility directly to the transport vehicle and directly to the final destination.

Describe the type of locked, safe, and secure storage compartments that will be used in any vehicles transporting marijuana or marijuana product:

A padlocked steel reinforced utility box will be used to transport any marijuana or marijuana product in a vehicle.



Alaska Marijuana Control Board

Form MJ-01: Marijuana Establishment Operating Plan

Section 7 – Signage and Advertising

Describe any signs that you intend to post on your establishment with your business name, including quantity and dimensions:

A small sign 3"x 16" stating "Vern's Wicked Weed" will be place on the steel security entrance door for the purpose of identification of the location only.

If you are not applying for a retail marijuana store license, you do not need to complete the rest of Section 7, including Page 17.

Restriction on advertising of marijuana and marijuana products (3 AAC 306.360):

All licensed retail marijuana stores must meet minimum standards for signage and advertising.

Applicants should be able to answer "Agree" to all items below.

No advertisement for marijuana or marijuana product will contain any statement or illustration that: Agree Disagree

- | | | |
|---|--------------------------|--------------------------|
| Is false or misleading | <input type="checkbox"/> | <input type="checkbox"/> |
| Promotes excessive consumption | <input type="checkbox"/> | <input type="checkbox"/> |
| Represents that the use of marijuana has curative or therapeutic effects | <input type="checkbox"/> | <input type="checkbox"/> |
| Depicts a person under the age of 21 consuming marijuana | <input type="checkbox"/> | <input type="checkbox"/> |
| Includes an object or character, including a toy, a cartoon character, or any other depiction designed to appeal to a child or other person under the age of 21, that promotes consumption of marijuana | <input type="checkbox"/> | <input type="checkbox"/> |



Alaska Marijuana Control Board

Form MJ-01: Marijuana Establishment Operating Plan

No advertisement for marijuana or marijuana product will be placed:

Agree Disagree

Within one thousand feet of the perimeter of any child-centered facility, including a school, childcare facility, or other facility providing services to children, a playground or recreation center, a public park, a library, or a game arcade that is open to persons under the age of 21

On or in a public transit vehicle or public transit shelter

On or in a publicly owned or operated property

Within 1000 feet of a substance abuse or treatment facility

On a campus for post-secondary education

Signage and Promotional Materials:

Agree Disagree

I understand and agree to follow the limitations for signs under 3 AAC 306.360(a)

The retail marijuana store will not use giveaway coupons as promotional materials, or conduct promotional activities such as games or competitions to encourage sale of marijuana or marijuana products

All advertising for marijuana or any marijuana product will contain the warnings required under 3 AAC 306.360(e)



Alcohol and Marijuana Control Office
 550 W 7th Avenue, Suite 1600
 Anchorage, AK 99501
marijuana.licensing@alaska.gov
<https://www.commerce.alaska.gov/web/amco>
 Phone: 907.269.0350

Alaska Marijuana Control Board

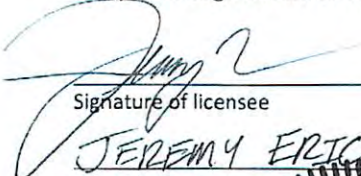
Form MJ-01: Marijuana Establishment Operating Plan

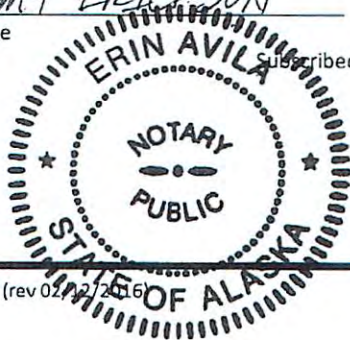
Section 8 – Control Plan for Persons Under the Age of 21

Describe how the marijuana establishment will prevent persons under the age of 21 from gaining access to any portion of the licensed premises and marijuana items:

The established procedure for allowing visitors requires valid ID to show proof of identity and of over the age of 21 prior to being issued an visitor ID and allowed entry into the cultivation facility. No visitors are allowed in the cultivation facility without a valid visitor ID badge. Signage will also be posted on the entry door, stating no one under age of 21 is allowed.

I declare under penalty of perjury that I have examined this form, including all accompanying schedules and statements, and to the best of my knowledge and belief find it to be true, correct, and complete.


 Signature of licensee
 JEREMY ERICKSON
 Printed name



Subscribed and sworn to before me this 29th day of MARCH, 2016.


 Notary Public in and for the State of Alaska.

My commission expires: 05/12/2019



Alcohol and Marijuana Control Office
550 W 7th Avenue, Suite 1600
Anchorage, AK 99501
marijuana.licensing@alaska.gov
<https://www.commerce.alaska.gov/web/amco>
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Alaska Marijuana Control Board

Form MJ-01: Marijuana Establishment Operating Plan

(Additional Space as Needed):



Alaska Marijuana Control Board

Form MJ-02: Premises Diagram

Alcohol and Marijuana Control Office
550 W 7th Avenue, Suite 1600
Anchorage, AK 99501
marijuana.licensing@alaska.gov
<https://www.commerce.alaska.gov/web/amco>
Phone: 907.269.0350

What is this form?

A detailed diagram of the proposed licensed premises is required for all marijuana establishment license applications, per 3 AAC 306.020(b)(8). Your diagram must show all entrances and boundaries of the premises, restricted access areas, and storage areas, and dimensions. If your proposed premises is located within a building or building complex that contains multiple businesses and/or tenants, please provide an additional page that clearly shows the location of your proposed premises within the building or building complex, along with the addresses and/or suite numbers of the other businesses and/or tenants within the building or building complex. For those applying for a limited marijuana cultivation license, the proposed area(s) for cultivation must be clearly delineated.

The **second page of this form is not required**. Blueprints, CAD drawings, or other clearly drawn and marked diagrams may be submitted in lieu of the second page of this form. The first page must still be completed, attached to, and submitted with any supplemental diagrams. An AMCO employee may require you to complete the second page of this form if additional documentation for your premises diagram is needed.

This form must be completed and submitted to AMCO's main office before any license application will be considered complete.

Yes No

I have attached blueprints, CAD drawings, or other supporting documents in addition to, or in lieu of, the second page of this form.

Section 1 – Establishment Information

Enter information for the business seeking to be licensed, as identified on the license application.

Licensee:	JEREMY J ERICKSON	License Number:	10071
License Type:	Standard Marijuana Cultivation Facility		
Doing Business As:	VERN'S WICKED WEED		
Premises Address:	3872 Halibut Point Road, Bay One		
City:	Sitka	State:	AK
		ZIP:	99835



Alaska Marijuana Control Board

Form MJ-02: Premises Diagram

Alcohol and Marijuana Control Office
550 W 7th Avenue, Suite 1600
Anchorage, AK 99501
marijuana.licensing@alaska.gov
<https://www.commerce.alaska.gov/web/amco>
Phone: 907.269.0350

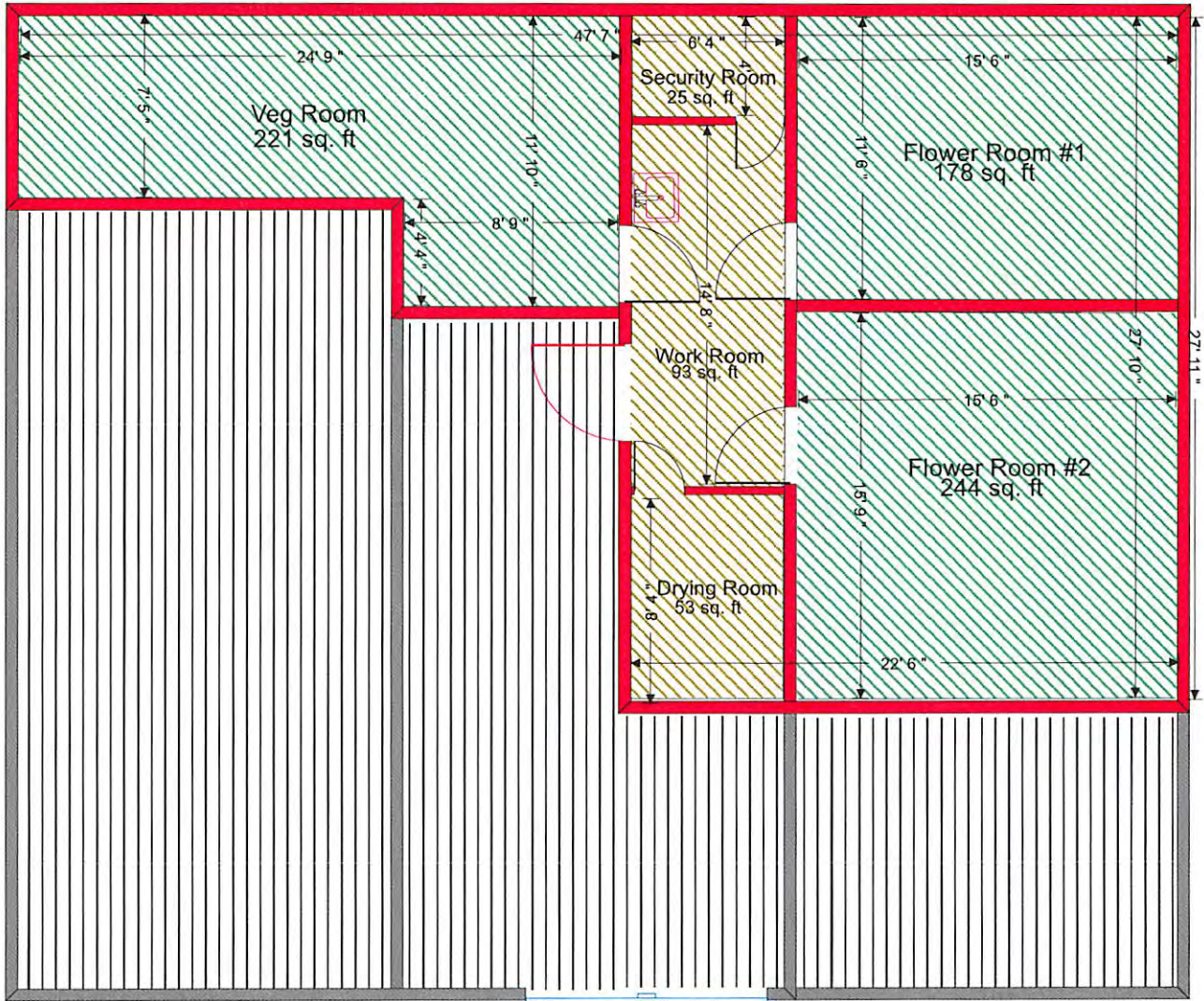
Section 2 – Detailed Premises Diagram




Clearly indicate the boundaries of the premises and the proposed licensed area within that property. Clearly indicate the interior layout of any enclosed areas on the proposed premises. Clearly identify all entrances, walls, partitions, counters, windows, areas of ingress and egress, restricted access areas, and storage areas. Include dimensions in your drawing. Use additional copies of this form or attached additional documents as needed.

FACILITY LAYOUT

VERN'S WICKED WEED

3872 HALIBUT POINT ROAD SITKA, AK 99835

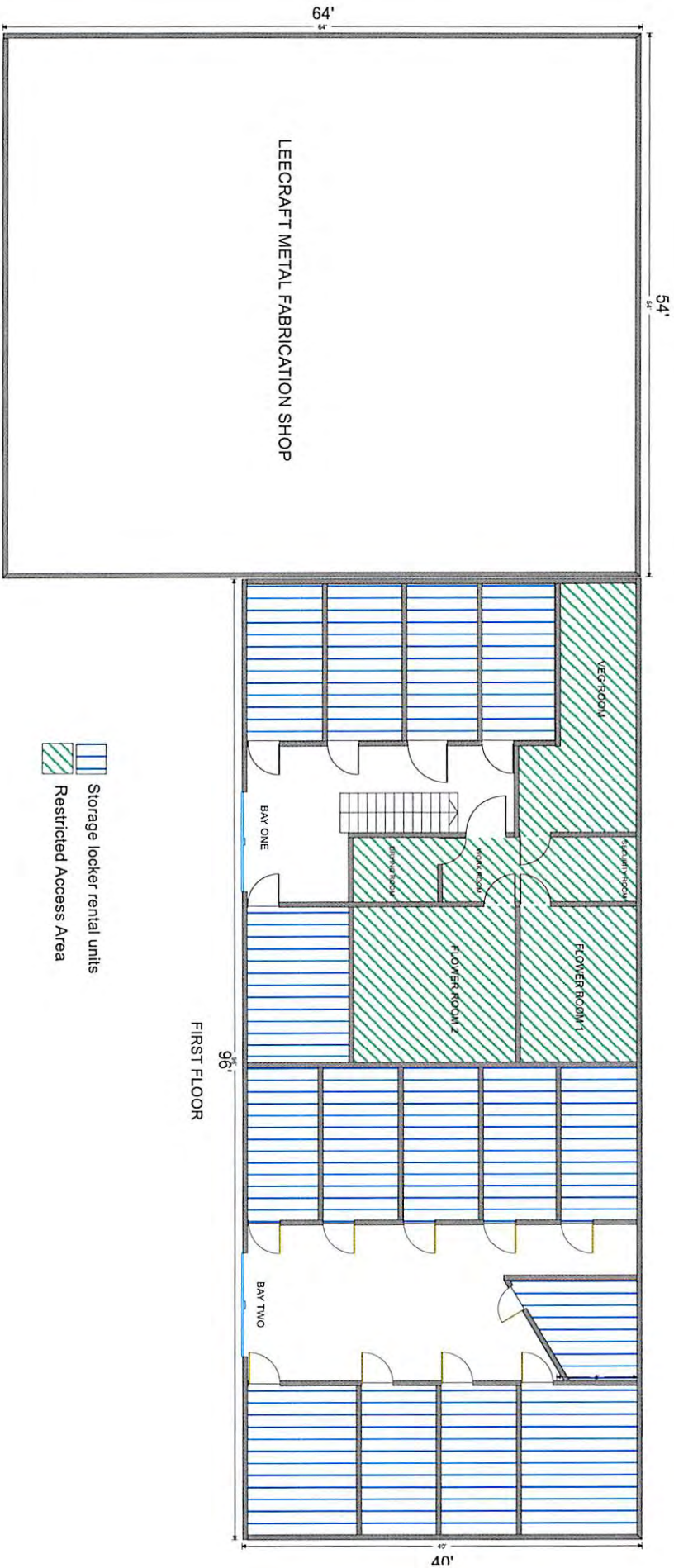


-  =RESTRICTED ACCESS/FACILITY AREA
-  =CULTIVATION AREA
-  =NON-FACILITY AREA

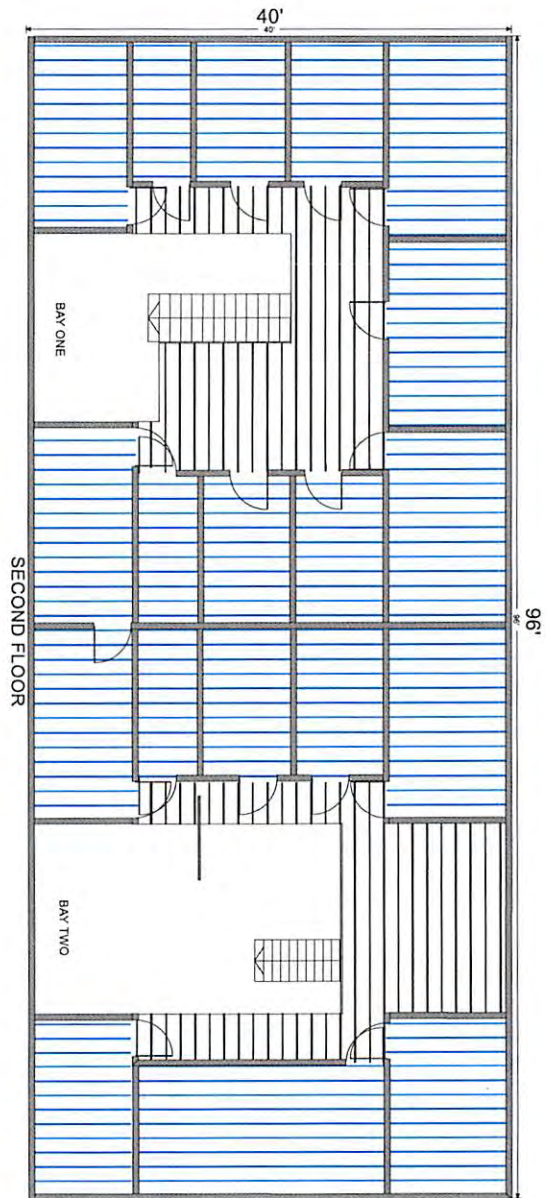
TOTAL CULTIVATION AREA=644 sq. ft

TOTAL FACILITY AREA=815 sq. ft

3872 HALIBUT POINT ROAD
Sitka, Alaska 99835



Drawing Scale: 1 Drawing Inch equals 15 Feet





Alaska Marijuana Control Board

Cover Sheet for Marijuana Establishment Applications

Alcohol & Marijuana Control Office
550 W 7th Avenue, Suite 1600
Anchorage, AK 99501
marijuana.licensing@alaska.gov
<https://www.commerce.alaska.gov/web/amco>
Phone: 907.269.0350

What is this form?

This cover sheet **must** be completed and submitted any time a document, payment, or other marijuana establishment application item is emailed, mailed, or hand-delivered to AMCO's main office.

Items that are submitted without this page will be returned in the manner in which they were received.

Section 1 – Establishment Information

Enter information for the business seeking to be licensed, as identified on the license application.

Licensee:	JEREMY J ERICKSON	License Number:	10071		
License Type:	Standard Marijuana Cultivation Facility				
Doing Business As:	VERN'S WICKED WEED				
Physical Address:	3872 Halibut Point Road				
City:	Sitka	State:	AK	Zip Code:	99835
Designated Owner:	Jeremy Erickson				
Email Address:	Vern_erickson@hotmail.com				

Section 2 – Attached Items

List all documents, payments, and other items that are being submitted along with this page.

Attached Items:	<p>1.MJ-00</p> <p>2.MJ-01</p> <p>3.MJ-02</p> <p>4.MJ-07</p> <p>5.MJ-08</p> <p>6.Publisher's Affidavit</p> <p>7.MJ-09</p> <p>8.Proof of Possession of Proposed Premises- Lease Agreement</p> <p>9.MJ-04</p>
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OFFICE USE ONLY

Received Date:		Payment Submitted Y/N:		Transaction #:	
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Alaska Marijuana Control Board
**Operating Plan Supplemental
 Form MJ-04: Marijuana Cultivation Facility**

Alcohol and Marijuana Control Office
 550 W 7th Avenue, Suite 1600
 Anchorage, AK 99501
marijuana.licensing@alaska.gov
<https://www.commerce.alaska.gov/web/amco>
 Phone: 907.269.0350

What is this form?

This operating plan supplemental form is required for all applicants seeking a marijuana cultivation facility license and must accompany the **Marijuana Establishment Operating Plan (Form MJ-01)**, per 3 AAC 306.020(b)(11). Applicants should review **Chapter 306: Article 4** of the **Alaska Administrative Code**. This form will be used to document how an applicant intends to meet the requirements of those regulations. If your business has a formal operating plan, you may include a copy of that operating plan with your application, but all fields of this form must still be completed per 3 AAC 306.020 and 3 AAC 306.420(2).

What additional information is required for cultivation facilities?

Applicants must identify how the proposed establishment will comply with applicable regulations regarding the following:

- Prohibitions
- Cultivation plan
- Odor control
- Testing procedure and protocols
- Security

This form must be submitted to AMCO's main office before any marijuana cultivation facility license application will be considered complete.

Section 1 – Establishment Information

Enter information for the business seeking to be licensed, as identified on the license application.

Licensee:	JEREMY J ERICKSON	License Number:	10071		
License Type:	Standard Marijuana Cultivation Facility				
Doing Business As:	VERN'S WICKED WEED				
Premises Address:	3872 Halibut Point Road, Bay One				
City:	Sitka	State:	AK	ZIP:	99835



Alaska Marijuana Control Board
**Operating Plan Supplemental
 Form MJ-04: Marijuana Cultivation Facility**

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Section 2 – Prohibitions

Applicants should review 3 AAC 306.405 – 3 AAC 306.410 and be able to answer “Agree” to all items below.

The marijuana cultivation facility will not: Agree Disagree

- | | | |
|--|-------------------------------------|--------------------------|
| Sell, distribute, or transfer any marijuana or marijuana product to a consumer, with or without compensation | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Allow any person, including a licensee, employee, or agent, to consume marijuana or marijuana product on its licenses premises or within 20 feet of the exterior of any building or outdoor cultivation facility | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Treat or otherwise adulterate marijuna with any organic or nonorganic chemical or compound to alter the color, appearance, weight, or odor of the marijuana | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Section 3 – Cultivation Plan

Review the requirements under 3 AAC 306.420, and identify how the proposed premises will meet the listed requirements.

Describe the size of the space(s) the marijuana cultivation facility intends to be under cultivation, including dimensions and overall square footage. Provide your calculations below:

Three separate areas of the facility are marijuana cultivation rooms where cultivation takes place with a total cultivation square footage of 644 sq. ft. The three rooms are called the Vegroom, Flower room #1, and Flower room #2.

The rooms and dimensions are:

Vegroom dimensions are 24' 9" by 7' 5" (183.56 sq. ft) and 8' 9" by 4' 4" (37.91 sq. ft) with a total of 221.47 sq. ft.
 Flower room #1 dimensions are 15' 6" by 11' 6" for a total of 178.25 sq. ft.
 Flower room #2 dimensions are 15' 6" by 15' 9" for a total of 244.13 sq. ft.

221.47+178.25+244.13= 643.85 sq. ft, rounded up to a total of 644 sq. ft under cultivation in the facility.



Alaska Marijuana Control Board
**Operating Plan Supplemental
Form MJ-04: Marijuana Cultivation Facility**

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Describe the marijuana cultivation facility's growing medium(s) to be used:

This facility will use soil as the only growing medium.

Describe the marijuana cultivation facility's fertilizers, chemicals, gases, and delivery systems, including carbon dioxide management, to be used:

The fertilizer/nutrient product line used contains Dextrose, sucrose, amino acids, Kelp extract (*Ascophyllum nodosum*), Calcium phosphate, Soybean extract, feather meal, bone meal, worm castings, steamed bone meal, yucca extract (saponin extracted from *yucca schidigera*), potassium phosphate, magnesium sulfate, calcium nitrate, seabird guano, humic acid (leonardite). To adjust pH levels of water and mixed nutrients the line of product used contains phosphoric acid to raise pH and contains ground limestone (natural calcite) to lower pH levels. No chemicals will be used. Carbon Dioxide will be used in the flowering rooms only. CO₂ from gas cylinders will be delivered via a regulator which is controlled and measured by an electronic CO₂ monitoring and controller in each flower room. The CO₂ is delivered from the monitoring and controller unit throughout the room by 1/8 inch plastic tubing.

Describe the marijuana cultivation facility's irrigation and waste water systems to be used:

Plants will be irrigated manually and by hand. The only waste water that could possibly ever occur in this facility is a small amount of residual water left from watering/feeding in bottom of watering container or bucket. This minute amount of waste water will be rinsed down the drain when rinsing out the watering container with tap water in the sink.



Alaska Marijuana Control Board
**Operating Plan Supplemental
Form MJ-04: Marijuana Cultivation Facility**

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Describe the marijuana cultivation facility's waste disposal arrangements:

Compostable ground mixed plant waste and any soil not reused will be delivered by the licensee to Granite Creek Waste Area, which is the City and Borough of Sitka's designated disposal area for green waste and overburden. The Granite Creek Waste Area is operated by a private contractor and only billed per use and per weight of waste.

All other miscellaneous waste or normal household garbage generated, such as paper towels, wrappers, etc, will be disposed of in the normal garbage cans provided and picked up curbside weekly by the local waste disposal company contracted by the city, which is billed and included monthly on the City of Sitka utility billing.

Section 4 – Odor Control

Review the requirements under 3 AAC 306.430, and identify how the proposed premises will meet the listed requirement.

Describe the odor control method(s) to be used and how the marijuana cultivation facility will ensure that any marijuana at the facility does not emit an odor that is detectable by the public from outside the facility:

Each Flower room contains a large carbon air filter which exhaust air is sucked though by an in line fan and exhausted into the main work area. A precautionary secondary in line fan then sucks the air from the main work area through yet another large carbon air filter before the air is exhausted out of the cultivation facility. Air from veg room is sucked through a the large carbon air filter in the main main work area before being exhausted from the cultivation facility.



Alaska Marijuana Control Board
**Operating Plan Supplemental
Form MJ-04: Marijuana Cultivation Facility**

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Section 5 – Testing Procedure and Protocols

Review the requirements under 3 AAC 306.455 and 3 AAC 306.465, and identify how the proposed premises will meet the listed requirements.

Applicants should be able to answer “Agree” to the item below.

I understand and agree that:

Agree Disagree

The board will or the director shall from time to time require the marijuana cultivation facility to provide samples of the growing medium, soil amendments, fertilizers, crop production aids, pesticides, or water for random compliance checks

Describe the testing procedure and protocols the marijuana cultivation facility will follow:

Each harvest batch is segregated, separated, and labeled by individual strains. The harvest batch is then stored in the designated humidity controlled dry room in the cultivation facility. A random sample for each isolated harvest batch or strain is taken by the licensee only. A signed statement stating the strain and that a random sample was taken is then produced for each harvest batch and strain. A copy will be retained by the cultivation facility and a copy provided to the available testing facility. The sample will then be prepared for transport in accordance with the cultivation facilities procedures for transporting marijuana prior to being transported to the testing facilities. This procedure is the same for requests by the board for any samples.



Alaska Marijuana Control Board
**Operating Plan Supplemental
 Form MJ-04: Marijuana Cultivation Facility**

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Section 6 – Security

Review the requirements under 3 AAC 306.430 and 3 AAC 306.470 – 3 AAC 306.475, and identify how the proposed premises will meet the listed requirements.

Applicants should be able to answer “Agree” to the two items below.

The marijuana cultivation facility applicant has:	Agree	Disagree
Read and understands and agrees to the packaging of marijuana requirements under 3 AAC 306.470	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Read and understands and agrees to the labeling of marijuana requirements under 3 AAC 306.475	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Restricted Access Area (3 AAC 306.430):	Yes	No
Will the marijuana cultivation facility include outdoor production?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

If “Yes”, describe the outdoor structure(s) or the expanse of open or clear ground fully enclosed by a physical barrier:



Alaska Marijuana Control Board
**Operating Plan Supplemental
 Form MJ-04: Marijuana Cultivation Facility**


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<https://www.commerce.alaska.gov/web/amco>
 Phone: 907.269.0350

Describe the method(s) used to ensure that any marijuana at the marijuana cultivation facility cannot be observed by the public from outside the facility:

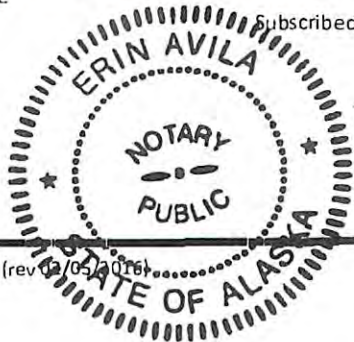
The cultivation facility does not have any windows. It is located inside a building, that requires the opening of large sliding metal door to enter to area where the exterior entrance to the grow facility is located. Even upon entry, the only visible part of the grow facility are the exterior sealed walls and the steel security entrance door. Each grow room inside the facility has interior doors. The only time the steel security entrance door is ever open is when an employee exits or enters. Even for some odd reason a member of the public happened to wander in the area and be looking when the facility entrance door was opened for an employee to exit/enter, the interior doors block the view of any marijuana from observation by the public.

I certify that as a marijuana cultivation facility, I will submit monthly reports to the Department of Revenue and pay the excise tax required under AS 43.61.010 and 43.61.020 on all marijuana sold or provided as a sample to a marijuana establishment, as required under 3 AAC 306.480.

I declare under penalty of perjury that I have examined this form, including all accompanying schedules and statements, and to the best of my knowledge and belief find it to be true, correct, and complete.


 Signature of licensee
JEREMY ERICKSON
 Printed name

Subscribed and sworn to before me this 29th day of MARCH, 2016.



Erin Avila
 Notary Public in and for the State of Alaska.
 My commission expires: 05/12/2019



Alaska Marijuana Control Board
**Operating Plan Supplemental
Form MJ-04: Marijuana Cultivation Facility**

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Anchorage, AK 99501
marijuana.licensing@alaska.gov
<https://www.commerce.alaska.gov/web/amco>
Phone: 907.269.0350

(Additional Space as Needed):



Alaska Marijuana Control Board

Form MJ-07: Public Notice Posting Affidavit

What is this form?

A public notice posting affidavit is required for all marijuana establishment license applications, per 3 AAC 306.020(b)(10). As soon as practical after initiating a new marijuana establishment license application, an applicant must give notice of the application to the public by posting a copy of the application (produced by the board's application website) for ten (10) days at the location of the proposed licensed premises and one other conspicuous location in the area of the proposed premises, per 3 AAC 306.025(b)(1).

This form must be submitted to AMCO's main office before any license application will be considered complete.

Section 1 - Establishment Information

Enter information for the business seeking to be licensed, as identified on the license application.

Licensee:	JEREMY J ERICKSON	License Number:	10071
License Type:	Standard Marijuana Cultivation Facility		
Doing Business As:	VERN'S WICKED WEED		
Premises Address:	3872 Halibut Point Road		
City:	Sitka	State:	ALASKA
		ZIP:	99835

Section 2 - Certification

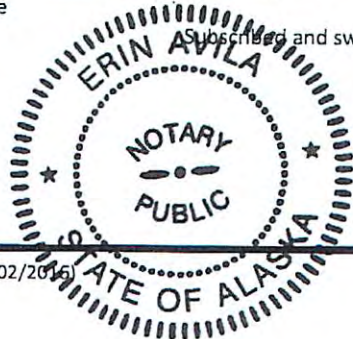
I certify that I have met the public notice requirement set forth under 3 AAC 306.025(b)(1) by posting a copy of my application for the following 10-day period at the location of the proposed licensed premises and at the following conspicuous location in the area of the proposed premises:

Start Date: 02/25/2016 End Date: 03/14/2016

Other conspicuous location: Sitka Post Office 1207 Sawmill Creek Road

I declare under penalty of perjury that I have examined this form, including all accompanying schedules and statements, and to the best of my knowledge and belief find it to be true, correct, and complete.

Signature of licensee



Subscribed and sworn to before me this 24TH day of MARCH, 2016.

Notary Public in and for the State of Alaska.

My commission expires: 05/12/2019



Alaska Marijuana Control Board

Form MJ-07: Public Notice Posting Affidavit

What is this form?

A public notice posting affidavit is required for all marijuana establishment license applications, per 3 AAC 306.020(b)(10). As soon as practical after initiating a new marijuana establishment license application, an applicant must give notice of the application to the public by posting a copy of the application (produced by the board's application website) for ten (10) days at the location of the proposed licensed premises and one other conspicuous location in the area of the proposed premises, per 3 AAC 306.025(b)(1).

This form must be completed and submitted to AMCO's main office before any license application will be considered complete.

Section 1 - Establishment Information

Enter information for the business seeking to be licensed, as identified on the license application.

Licensee:	JEREMY J ERICKSON	License Number:	10071		
License Type:	Standard Marijuana Cultivation Facility				
Doing Business As:	VERN'S WICKED WEED				
Premises Address:	3872 Halibut Point Road, Bay One				
City:	Sitka	State:	AK	ZIP:	99835

Section 2 - Certification

I certify that I have met the public notice requirement set forth under 3 AAC 306.025(b)(1) by posting a copy of my application for the following 10-day period at the location of the proposed licensed premises and at the following conspicuous location in the area of the proposed premises:

Start Date: 07/25/2016 End Date: 07/31/2016

Other conspicuous location: Sitka Post office, 1207 Sawmill Creek Road

I declare under penalty of perjury that I have examined this form, including all accompanying schedules and statements, and to the best of my knowledge and belief find it to be true, correct, and complete.

[Signature]
 Signature of licensee
JEREMY ERICKSON
 Printed name of licensee

[Signature]
 Notary Public in and for the State of Alaska
STATE OF ALASKA
 NOTARY PUBLIC
AMABEL F. POULSON
 My Commission Expires 1-15-18

Subscribed and sworn to before me this 1 day of Aug, 2016



Alaska Marijuana Control Board

Cover Sheet for Marijuana Establishment Applications

Alcohol & Marijuana Control Office
550 W 7th Avenue, Suite 1600
Anchorage, AK 99501
marijuana.licensing@alaska.gov
<https://www.commerce.alaska.gov/web/amco>
Phone: 907.269.0350

What is this form?

This cover sheet **must** be completed and submitted any time a document, payment, or other marijuana establishment application item is emailed, mailed, or hand-delivered to AMCO's main office.

Items that are submitted without this page will be returned in the manner in which they were received.

Section 1 – Establishment Information

Enter information for the business seeking to be licensed, as identified on the license application.

Licensee:	JEREMY J ERICKSON	License Number:	10071		
License Type:	Standard Marijuana Cultivation Facility				
Doing Business As:	VERN'S WICKED WEED				
Physical Address:	3872 Halibut Point Road				
City:	Sitka	State:	AK	Zip Code:	99835
Designated Owner:	Jeremy Erickson				
Email Address:	Vern_erickson@hotmail.com				

Section 2 – Attached Items

List all documents, payments, and other items that are being submitted along with this page.

Attached Items:	MJ-08
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OFFICE USE ONLY

Received Date:		Payment Submitted Y/N:		Transaction #:	
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Alaska Marijuana Control Board
Form MJ-08: Local Government Notice Affidavit

What is this form?

A local government notice affidavit is required for all marijuana establishment license applications with a proposed premises that is located within a local government, per 3 AAC 306.025(b)(3). As soon as practical after initiating a new marijuana establishment license application, an applicant must give notice of the application to the public by submitting a copy of the application (produced by the board's application website) to the local government and any community council in the area of the proposed licensed premises.

This form must be submitted to AMCO's main office before any license application will be considered complete.

Section 1 – Establishment Information

Enter information for the business seeking to be licensed, as identified on the license application.

Licensee:	JEREMY J ERICKSON	License Number:	10071
License Type:	Standard Marijuana Cultivation Facility		
Doing Business As:	VERN'S WICKED WEED		
Premises Address:	3872 Halibut Point Road		
City:	Sitka	State:	ALASKA
		ZIP:	99835

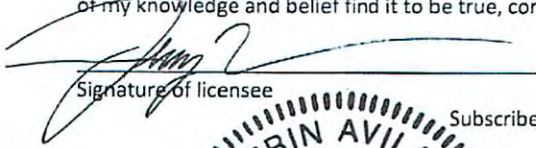
Section 2 – Certification

I certify that I have met the local government notice requirement set forth under 3 AAC 306.025(b)(3) by submitting a copy of my application to the following local government and community council (if applicable):

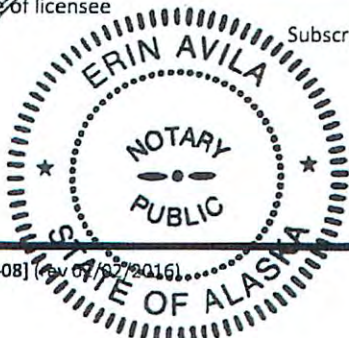
Local Government: City and Borough of Sitka Date Submitted: 02/25/2016

Community Council: _____ Date Submitted: _____
 (Municipality of Anchorage and Matanuska-Susitna Borough only)

I declare under penalty of perjury that I have examined this form, including all accompanying schedules and statements, and to the best of my knowledge and belief find it to be true, correct, and complete.


 Signature of licensee

Subscribed and sworn to before me this 29TH day of MARCH, 20 16.




 Notary Public in and for the State of Alaska.

My commission expires: 05/12/2019



Alaska Marijuana Control Board Form MJ-08: Local Government Notice Affidavit

What is this form?

A local government notice affidavit is required for all marijuana establishment license applications with a proposed premises that is located within a local government, per 3 AAC 306.025(b)(3). As soon as practical after initiating a new marijuana establishment license application, an applicant must give notice of the application to the public by submitting a copy of the application to the local government and any community council in the area of the proposed licensed premises. For purposes of this notification, the document that must be submitted is the application document produced by the online application system titled "Public Notice".

This form must be completed and submitted to AMCO's main office before any license application will be considered complete.

Section 1 – Establishment Information

Enter information for the business seeking to be licensed, as identified on the license application.

Licensee:	JEREMY J ERICKSON	License Number:	10071
License Type:	Standard Marijuana Cultivation Facility		
Doing Business As:	VERN'S WICKED WEED		
Premises Address:	3872 Halibut Point Road, Bay One		
City:	Sitka	State:	AK
		ZIP:	99835

Section 2 – Certification

I certify that I have met the local government notice requirement set forth under 3 AAC 306.025(b)(3) by submitting a copy of my application to the following local government official and community council (if applicable):

Local Government: Sitka, City and Borough of Name of Official: Sara Peterson
 Title of Official: Municipal Clerk Date Submitted: 07/25/2016
 Community Council: _____ Date Submitted: _____
 (Municipality of Anchorage and Matanuska-Susitna Borough only)

I declare under penalty of perjury that I have examined this form, including all accompanying schedules and statements, and to the best of my knowledge and belief find it to be true, correct, and complete.

[Signature]
Signature of licensee
JEREMY ERICKSON
Printed name of licensee

STATE OF ALASKA
NOTARY PUBLIC
SARA L. PETERSON
My Commission Expires April 15, 2019

Sara Peterson
Notary Public in and for the State of Alaska
My commission expires: 4-15-2019

Subscribed and sworn to before me this 25 day of July, 2016.



Alaska Marijuana Control Board

Form MJ-09: Statement of Financial Interest

Alcohol and Marijuana Control Office
550 W 7th Avenue, Suite 1600
Anchorage, AK 99501
marijuana.licensing@alaska.gov
<https://www.commerce.alaska.gov/web/amco>
Phone: 907.269.0350

What is this form?

A statement of financial interest completed by each proposed licensee (as defined in 3 AAC 306.020(b)(2)) and affiliate (as defined in 3 AAC 306.990(a)(1)) is required for all marijuana establishment license applications, per 3 AAC 306.020(b)(4). A person other than a licensee may not have direct or indirect financial interest (as defined in 3 AAC 306.015(e)(1)) in the business for which a marijuana establishment license is issued, per 3 AAC 306.015(a).

This form must be completed and submitted to AMCO's main office **by each proposed licensee or affiliate** before any license application will be considered complete.

Section 1 – Establishment Information

Enter information for the business seeking to be licensed, as identified on the license application.

Licensee:	JEREMY J ERICKSON	License Number:	10071		
License Type:	Standard Marijuana Cultivation Facility				
Doing Business As:	VERN'S WICKED WEED				
Premises Address:	3872 Halibut Point Road, Bay One				
City:	Sitka	State:	AK	ZIP:	99835

Section 2 – Individual Information

Enter information for the individual licensee or affiliate.

Name:	Jeremy Erickson				
Title:	Owner				
SSN:	[REDACTED]				



Alcohol and Marijuana Control Office
550 W 7th Avenue, Suite 1600
Anchorage, AK 99501
marijuana.licensing@alaska.gov
<https://www.commerce.alaska.gov/web/amco>
Phone: 907.269.0350

Alaska Marijuana Control Board

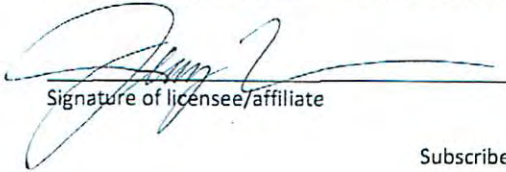
Form MJ-09: Statement of Financial Interest

Section 3 - Certifications

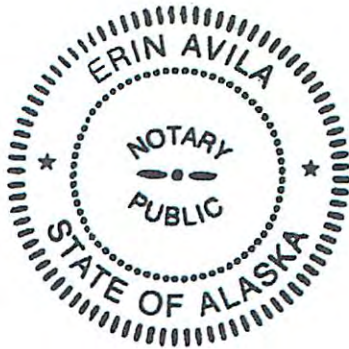
I certify that no person other than a proposed licensee listed on my marijuana establishment license application has a direct or indirect financial interest, as defined in 3 AAC 306.015(e)(1), in the business for which a marijuana establishment license is being applied for.

I further certify that any ownership change shall be reported to the board as required under 3 AAC 306.040.

I declare under penalty of perjury that I have examined this form, including all accompanying schedules and statements, and to the best of my knowledge and belief find it to be true, correct, and complete.


Signature of licensee/affiliate

Subscribed and sworn to before me this 24TH day of MARCH, 20 16.




Notary Public in and for the State of Alaska.

My commission expires: 05/12/2019

Alcohol & Marijuana Control Office

License Number: 10071

License Status: New

License Type: Standard Marijuana Cultivation Facility

Doing Business As: VERN'S WICKED WEED

Business License Number: 1030744

Designated Owner: Jeremy Erickson

Email Address: Vern_erickson@hotmail.com

Latitude, Longitude: 57.061490, -135.230000

Physical Address: 3872 Halibut Point Road
Sitka, AK 99835
UNITED STATES

Owner #1

Note: No affiliates entered for this license.

Owner Type: Individual

Name: JEREMY J ERICKSON

SSN: [REDACTED]

Date of Birth: 03/18/1976

Phone Number: 907-738-4456

Email Address: Vern_erickson@hotmail.com

Mailing Address: 3870 B Halibut Point Road
Sitka, AK 99835
UNITED STATES



Alaska Marijuana Control Board

Cover Sheet for Marijuana Establishment Applications

Alcohol & Marijuana Control Office
550 W 7th Avenue, Suite 1600
Anchorage, AK 99501
marijuana.licensing@alaska.gov
<https://www.commerce.alaska.gov/web/amco>
Phone: 907.269.0350

What is this form?

This cover sheet **must** be completed and submitted any time a document, payment, or other marijuana establishment application item is emailed, mailed, or hand-delivered to AMCO's main office.

Items that are submitted without this page will be returned in the manner in which they were received.

Section 1 – Establishment Information

Enter information for the business seeking to be licensed, as identified on the license application.

Licensee:	JEREMY J ERICKSON	License Number:	10071		
License Type:	Standard Marijuana Cultivation Facility				
Doing Business As:	VERN'S WICKED WEED				
Physical Address:	3872 Halibut Point Road				
City:	Sitka	State:	AK	Zip Code:	99835
Designated Owner:	Jeremy Erickson				
Email Address:	Vern_erickson@hotmail.com				

Section 2 – Attached Items

List all documents, payments, and other items that are being submitted along with this page.

Attached Items:	<p>1.MJ-00</p> <p>2.MJ-01</p> <p>3.MJ-02</p> <p>4.MJ-07</p> <p>5.MJ-08</p> <p>6.Publisher's Affidavit</p> <p>7.MJ-09</p> <p>8.Proof of Possession of Proposed Premises- Lease Agreement</p> <p>9.MJ-04</p>
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OFFICE USE ONLY

Received Date:		Payment Submitted Y/N:		Transaction #:	
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ALASKA LEASE AGREEMENT FOR COMMERCIAL SPACE

This 5 year Lease agreement, entered into effective April 1, 2016, by and between Lee Craft/Storage, Marcus and Faith Lee owners with its principal property located at 3872 Halibut Point Rd, Sitka, Alaska and Lessee Jeremy Erickson. Lessor Lee Craft/Storage provides as follows;

Lessor warrants and represents that it owns that certain parcel of land and building located in Sitka Alaska, more particularly described as 3872 Halibut Point Road attached to this Lease and incorporated for the purposes of description and;

Lessor will to lease to Lessee and Lessee will lease from Lessor, under the terms and conditions of this agreement, approximately eight hundred and fifteen square feet of commercial space in the Storage Building;

Therefore, the parties agree as follows:

1. The Premises. Lessor hereby agrees to lease to Lessee, and Lessee hereby leases from Lessor, the following described premises:

That a certain 815 square feet of floor space on the ground floor of the storage Building, hereto and made a part of this lease for description purposes, more commonly known as Bay One of Storage Units, which floor space shall be completed by Lessee for his use to start a business of which the purpose is a standard marijuana cultivation facility.

2. Term. The term of this lease shall commence on the date of occupancy of the Premises by Lessee, and shall continue for a period of 5 (five) years thereafter, unless sooner terminated as provided in this Lease by mutual consent.

3. Rent. Lessee agrees to pay Lessor a minimum monthly rent during the term of this Lease in the amount of \$ 650 per month, payable on the first day of each month during the term of this Lease, with payments to be made by personal delivery, no later than the tenth day of each month during the term of this lease.

4. Escalation of Minimum Monthly Rent and Additional Rent. On the first day of the 2nd calendar year during the term of this lease, beginning April 1, 2017 the

minimum monthly rent may be increased to match local commercial rental rate, and every other year thereafter.

- a. The term "lease year" as used in this lease means the period of one (1) year between the date of commencement of the term of this lease and the first anniversary of the commencement, and thereafter the term shall refer to each similar one (1) year period commencing with an anniversary of the date of commencement of this lease and ending with the last day of the one (1) year period following that date.
- b. Lessee shall pay the entire total storage bay 1, building electrical operating expenses for the lease year. The term "building operating expenses" includes but is not limited to the following costs and expenses incurred in the cost of operating and maintaining the building: unit electrical consumption.

5. Possession. Lessor promises to place Lessee in peaceful possession of the Premises, and Lessee, by taking possession of the Premises, will have acknowledged that the Premises are in satisfactory and acceptable condition.

6. Use. Lessee shall use the Premises as a standard marijuana cultivation facility and shall not use or permit the Premises to be used for any other purpose.

7. Compliance with Laws. Lessee agrees to observe all laws and governmental regulations applicable to its use of the Premises, together with all reasonable rules and regulations that may be promulgated by Lessor from time to time.

8. Alterations by Lessee. Lessee agrees that except for the tenant improvements contemplated in this Lease, Lessee will make no alterations to the Premises without the prior consent of the Lessor.

9. Hazards. Lessee shall not use the Premises, nor permit them to be used, for any purpose which shall increase the existing rate of insurance upon the Building, or cause the cancellation of any insurance policy covering the Building, or sell or permit to be kept, used, or sold in or about the Premises, any article that may be prohibited by Lessor's insurance policies.

- a. Lessee further agrees that except for the tenant improvements contemplated in this Lease, Lessee will not install or construct within the Premises or Building electrical wires, water or drain pipes, machinery, or other permanently installed devices, including, but not limited to, alarm systems, private music systems, or special ventilation, without the prior consent of Lessor.

10. Care of the Premises. Lessee agrees to take good care of the Premises.

11. Liability. Lessee agrees that Lessor shall not be liable for any damage or injury to persons or property arising out of the use of the Premises by Lessee, its agents and employees, invitees, or visitors except that occasioned by the negligence or act of Lessor, its agents, employees, servants, contractors, or subcontractors.

- a. Lessee will indemnify and save Lessor harmless from all liability and loss on account of any such damage or injury; but Lessee shall not be liable for any damage or injury occasioned by any failure of Lessor to comply with its obligations under this Lease or by reason of the negligence of the Lessor, its agents, servants, employees, contractors, or subcontractors.
- b. Lessee shall furnish to Lessor a certificate of liability insurance, and a certificate of renewal of such insurance from time to time throughout the term of this lease, insuring Lessees against liability for personal injury and against liability for property damage.
- c. Lessee agrees that Lessor shall be entitled to post any notice of non-liability required by its insurance carrier or mortgagee in a space that complies with any ordinance or insurance policy approved by the State, throughout the term of this lease.

12. Destruction of Premises. If at any time during the term of this lease, the Premises or any part of the Building or Parcel shall be damaged or destroyed by fire in a way that does not render the premises unfit for the conduct of Lessee's business or that does not injure Lessee's business, Lessor shall promptly and through the exercise of reasonable diligence repair the damage and restore the premises..

13. In the event any part of or interest in the Premises, Building, or Parcel is condemned, this lease shall terminate at the option of either Lessor or Lessee as of the date title or actual possession vests in the condemner, whichever first occurs, and rent under this Lease shall be payable only to that date. Lessor shall return to Lessee any rent paid beyond that date.

14. Lessor shall give Lessee written notice promptly after receiving notice of any contemplated condemnation and Lessee shall have thirty (30) days after receipt of the notice to terminate this lease, provided the contemplated condemnation will render the Premises unfit for use by Lessee in the ordinary conduct of its business or will in Lessee's opinion injure Lessee's business.

15. Assignment and Subletting. Lessee may not sublet or assign its interest under this Lease without the written consent of Lessor, except to a business entity that is owned or controlled by Lessee.

16. In the event that this Lease is terminated as permitted under the terms of this Lease, Lessor shall refund to Lessee any prepaid rent accrued as of the date of damage or destruction, less any sum then owing Lessor by Lessee. If Lessor is required under this Lease to repair and reconstruct the Premises, the lease term shall be extended by a period of time equal to the period of time reasonable required completing the repair and reconstruction. This lease shall stand in effect for a minimum of 5 years even in the event of death of the Lessors; their estate will honor this timeline to Lessee.

17. Default by Lessee. Should Lessee at any time be in default with respect to payment of rent for a period of ten (10) days after written notice from Lessor; or should Lessee be in default in the performance of any other of its obligations under this Lease for thirty (30) days after written notice from Lessor specifying the particulars of the default; or should Lessee vacate and abandon the Premises; or if a petition in bankruptcy or other insolvency proceeding is filed by or against Lessee, without dismissal within thirty (30) days of filing; or if Lessee makes any general assignment for the benefit of creditors or composition; or if a petition or other proceeding is instituted by or against the Lessee for the appointment of a trustee, receiver, or liquidator of Lessee or of any of Lessee's property pursuant to laws for the benefit of creditors; or if a proceeding is instituted by any governmental authority for the dissolution or liquidation of Lessee; then and in any such events, Lessor, in addition to other rights or remedies it may have, shall have the immediate right of reentry in the Premises, and after five (5) days prior written notice to Lessee and

Alcohol & Marijuana Control Office, may remove all persons and property from the premises, does not include marijuana as defined in AS 17.38.

- a. The property may be removed and stored in a public warehouse or elsewhere at the cost of, and for the account of, Lessee.
- b. Should Lessor elect to reenter, this lease shall be deemed terminated; provided, however, that Lessor shall be entitled as against Lessee to the measure of damages provided by law, namely the difference between the rent for the balance of the term of this lease following the day of reentry and the amount of rent Lessor receives during that period from any subsequent tenant of the Premises.
- c. Lessor shall in such event have no obligation to relet the Premises.

18. Should Lessor at any time terminate this lease under Lessor's express rights set forth in this Lease for any breach, Lessor may, in addition to any other remedy it may have, recover from Lessee all damages incurred by reason of the breach, including the cost of recovering the Premises.

19. Redelivery of Premises. Lessee agrees to redeliver to Lessor the physical possession of the Premises at the end of the term of this Lease, or any extension of this Lease, in good condition, excepting reasonable wear and tear, and damage by fire or from any other cause not attributable to the willful or negligent act of the Lessee, or its employees, agents, invitees, or visitors.

20. Attorneys' Fees. If either party is required to place the enforcement of all or any part of this Lease, the recovery of possession of the Premises, or damages in the hands of an attorney, or if legal proceedings are commenced by either party against the other party to protect or enforce rights or obligations under this Lease, the prevailing party, whether as Plaintiff or Defendant, shall be entitled to recover its reasonable attorneys' fees and costs.

21. Time of Essence. Time is of the essence in this lease.

22. Mutuality. All covenants and conditions in this Lease are mutually dependent.

23. Refurbishment's. Paragraph 12 notwithstanding, Lessor shall be responsible

for returning the Premises to its original storage unit layout.

24. Option to Renew. Lessee is hereby given an option to renew this lease for an additional term of two (2) years by giving Lessor notice on or before ninety (90) days before the expiration of the primary term of this lease. The renewal lease is to be upon the same terms, covenants, and conditions contained in this Lease except as to Rent as provided in Paragraph 3 above and Tenant Improvements.

This instrument is executed as of the above date in multiple counterparts, each of which shall constitute an original.

Faith Lee Faith Lee
LESSEE

Marcus Lee Marcus Lee
LESSEE

Jeremy Erickson Jeremy Erickson
LESSOR

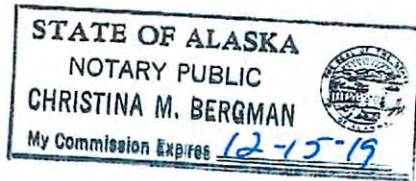
State of Alaska

This instrument was acknowledged before me on July 18, 2016 by

Faith Lee, Marcus Lee & Jeremy Erickson

Christina M. Bergman
Notary Public, State of Alaska

Christina M. Bergman
Notary's typed or printed name



My commission expires: 12-15-2019

[or Notary's Stamp]



Alaska Marijuana Control Board

Cover Sheet for Marijuana Establishment Applications

Alcohol & Marijuana Control Office
550 W 7th Avenue, Suite 1600
Anchorage, AK 99501
marijuana.licensing@alaska.gov
<https://www.commerce.alaska.gov/web/amco>
Phone: 907.269.0350

What is this form?

This cover sheet **must** be completed and submitted any time a document, payment, or other marijuana establishment application item is emailed, mailed, or hand-delivered to AMCO's main office.

Items that are submitted without this page will be returned in the manner in which they were received.

Section 1 – Establishment Information

Enter information for the business seeking to be licensed, as identified on the license application.

Licensee:	JEREMY J ERICKSON	License Number:	10071		
License Type:	Standard Marijuana Cultivation Facility				
Doing Business As:	VERN'S WICKED WEED				
Physical Address:	3872 Halibut Point Road				
City:	Sitka	State:	AK	Zip Code:	99835
Designated Owner:	Jeremy Erickson				
Email Address:	Vern_erickson@hotmail.com				

Section 2 – Attached Items

List all documents, payments, and other items that are being submitted along with this page.

Attached Items:	<p>1.MJ-00</p> <p>2.MJ-01</p> <p>3.MJ-02</p> <p>4.MJ-07</p> <p>5.MJ-08</p> <p>6.Publisher's Affidavit</p> <p>7.MJ-09</p> <p>8.Proof of Possession of Proposed Premises- Lease Agreement</p> <p>9.MJ-04</p>
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OFFICE USE ONLY

Received Date:		Payment Submitted Y/N:		Transaction #:	
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Affidavit of Publication

STATE OF ALASKA
FIRST JUDICIAL DISTRICT) ss.
AT SITKA, ALASKA

Travis Smith, being first sworn, says she or he is the publisher, managing editor or business manager of the DAILY SITKA SENTINEL, a newspaper printed and published in Sitka, Alaska, and legally qualified as a medium of official and legal publications, and that the Legal Notice a copy of which is hereto annexed, was published in the Daily Sitka Sentinel on:

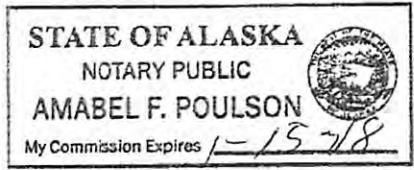
2/26 3/4 3/11

Signature _____

Sworn and subscribed to before me this 14 day of March, 2016

Notary Public for Alaska Amabel Poulson

My commission expires _____, 20_____



LEGAL NOTICE
JEREMY J ERICKSON is applying for a new Standard Marijuana Cultivation Facility License 3 AAC 306.400(1), doing business as VERN'S WICKED WEED located at 3872 Halibut Point Road, Sitka, AK, 99835, UNITED STATES.
Interested persons should submit written comment or objection to their local government, the applicant, and to the Alcohol & Marijuana Control Office at 550 W 7th Ave, Suite 1600, Anchorage, AK 99501.
Published: February 26, March 4, March 11, 2016

Affidavit of Publication

STATE OF ALASKA
FIRST JUDICIAL DISTRICT) ss.
AT SITKA, ALASKA

Travis Smith, being first sworn, says she or he is the publisher, managing editor or business manager of the DAILY SITKA SENTINEL, a newspaper printed and published in Sitka, Alaska, and legally qualified as a medium of official and legal publications, and that the Legal Notice a copy of which is hereto annexed, was published in the Daily Sitka Sentinel on:

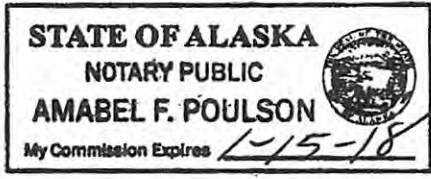
7/24, _____, _____,
_____, _____, _____,
_____, _____, _____,
_____, _____, _____,
_____, _____, _____,

Signature [Signature]

Sworn and subscribed to before me this 27 day of July, 20 16

Notary Public for Alaska [Signature]

My commission expires _____, 20 _____



LEGAL NOTICE
JEREMY J ERICKSON is applying under 3 AAC 306.400(a) (1) for a new Standard Marijuana Cultivation Facility license, license #10071, doing business as VERN'S WICKED WEED located at 3872 Halibut Point Road, Bay One, Sitka, AK, 99835, UNITED STATES.
Interested persons should submit written comment or objection to their local government, the applicant, and to the Alcohol & Marijuana Control Office at 550 W 7th Ave, Suite 1600, Anchorage, AK 99501 or to marijuana.licensing@alaska.gov not later than 30 days after this notice of application.
Published: July 26, 2016



CITY AND BOROUGH OF SITKA

Legislation Details

File #: 16-154 Version: 1 Name:

Type: Item Status: AGENDA READY

File created: 8/17/2016 In control: City and Borough Assembly

On agenda: 8/23/2016 Final action:

Title: Approve a retail marijuana store license for Anna M. Cleaver dba Weed Dudes at 1321 Sawmill Creek Road Suite J

Sponsors:

Indexes:

Code sections:

Attachments: [Marijuana Cleaver.pdf](#)

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------

POSSIBLE MOTION

I MOVE TO approve a retail marijuana store license for Anna M. Cleaver dba Weed Dudes at 1321 Sawmill Creek Road Suite J and forward this approval to the Alcohol and Marijuana Control Office without objection.



City & Borough of Sitka
Municipal Clerk's Office
100 Lincoln Street, Sitka AK 99835
Telephone: 907-747-1811 Fax: 907-747-4004



Memorandum

To: Mayor McConnell and Assembly Members
From: Sara Peterson, Municipal Clerk
Date: August 18, 2016
Subject: Application for New Retail Marijuana Store License

Attached you will find a notification, and additional information, from the Alcohol and Marijuana Control Office of an application for a new retail marijuana store license for the following applicant:

License #:	10220
License Type:	Retail Marijuana Store
Licensee/Applicant:	Anna M. Cleaver
D.B.A.:	Weed Dudes
Physical Address:	1321 Sawmill Creek Road, Suite J; Sitka, AK
Designated Licensee:	Anna M. Cleaver

The applicant was granted a conditional use permit for a marijuana retail facility by the Planning Commission on May 17, 2016. The motion passed unanimously by a 5-0 vote.

A notice was published in the local newspaper and posted to the establishment. In addition, a memo was circulated to the various municipal departments who may have a reason to protest. No departmental objections were received.

Recommendation: Approve the retail marijuana store license for Anna M. Cleaver dba Weed Dudes and forward this approval to the Alcohol and Marijuana Control Office without objection.

N

Public hearing and consideration of a conditional use permit request for a marijuana retail facility at 1321 Sawmill Creek Road J, in the C-2 commercial and mobile home zone. The property is also known as US Survey 2729. The request is filed by Anna Michelle Cleaver. The owner of record is Eagle Bay Inn, LLC.

Scarcelli described the request for marijuana retail. The applicant has provided the AMCO application. Parking is sufficient, but parking space striping should be a condition of approval. No sensitive uses are known within the state buffer zone. Staff recommends approval. Spivey stated that he notarized the state application, but has no financial gain at stake.

Michelle Cleaver stated that the owner intends to stripe 120 parking spaces by the end of the month. Hughey clarified that Cleaver would sell locally cultivated marijuana, and she stated yes.

Jeremy Twaddle asked about how odor is determined. Bosak stated that odor would be addressed if complaints were raised.

Jennifer Davis stated that she lives nearby, and is concerned that children and families use the plaza.

Windsor asked about the time requirements for review by the board. Bosak stated that review could occur at any time when a meritorious complaint is received which indicates that the operation is not in compliance with the conditions of approval.

Parker Song/Pohlman moved to APPROVE the required findings.

Required Findings for Conditional Use Permits. The planning commission shall not recommend approval of a proposed development unless it first makes the following findings and conclusions:

1. The city may use design standards and other elements in this code to modify the proposal. A conditional use permit may be approved only if all of the following findings can be made regarding the proposal and are supported by the record that the granting of the proposed conditional use permit will not:
 - a. Be detrimental to the public health, safety, and general welfare;
 - b. Adversely affect the established character of the surrounding vicinity; nor
 - c. Be injurious to the uses, property, or improvements adjacent to, and in the vicinity of, the site upon which the proposed use is to be located.
2. The granting of the proposed conditional use permit is consistent and compatible with the intent of the goals, objectives, and policies of the comprehensive plan and any implementing regulation.
3. All conditions necessary to lessen any impacts of the proposed use are conditions that can be monitored and enforced.
4. The proposed use will not introduce hazardous conditions at the site that cannot be mitigated to protect adjacent properties, the vicinity, and the public health, safety, and welfare of the community from such hazard.
5. The conditional use will be supported by, and not adversely affect, adequate public facilities and services; or that conditions can be imposed to lessen any adverse impacts on such facilities and services.

6. Burden of Proof. The applicant has the burden of proving that the proposed conditional use meets all of the criteria in subsection B of this section.

The city may approve, approve with conditions, modify, modify with conditions, or deny the conditional use permit. The city may reduce or modify bulk requirements, off-street parking requirements, and use design standards to lessen impacts, as a condition of the granting of the conditional use permit. In considering the granting of a conditional use, the assembly and planning commission shall satisfy themselves that the general criteria set forth for uses specified in this chapter will be met. The city may consider any or all criteria listed and may base conditions or safeguards upon them. The assembly and planning commission may require the applicant to submit whatever reasonable evidence may be needed to protect the public interest. The general approval criteria are as follows:

1. Site topography, slope and soil stability, geophysical hazards such as flooding, surface and subsurface drainage and water quality, and the possible or probable effects of the proposed conditional use upon these factors;
2. Utilities and service requirements of the proposed use, including sewers, storm drainage, water, fire protection, access and electrical power; the assembly and planning commission may enlist the aid of the relevant public utility officials with specialized knowledge in evaluating the probable effects of the proposed use and may consider the costs of enlarging, upgrading or extending public utilities in establishing conditions under which the conditional use may be permitted;
3. Lot or tract characteristics, including lot size, yard requirements, lot coverage and height of structures;
4. Use characteristics of the proposed conditional use that affect adjacent uses and districts, including hours of operation, number of persons, traffic volumes, off-street parking and loading characteristics, trash and litter removal, exterior lighting, noise, vibration, dust, smoke, heat and humidity, recreation and open space requirements;
5. Community appearance such as landscaping, fencing and screening, dependent upon the specific use and its visual impacts.

Specific Guidance from 22.24 on Findings for Marijuana Uses

Findings of Fact: Upon review and considerations of the required criteria, the Planning Commission shall determine whether the proposed use(s) at the proposed project location are found to not present a negative impact to the public's health, safety, and welfare.

1. If such a finding can be made, then the proposed use shall be approved with standard regulations, dimensions, and setbacks.
2. In the alternative, where the Planning Commission finds negative impacts are present, the Planning Commission shall only approve conditional use permits where the negative impacts can be adequately mitigated by conditions of approval that preserve the public's health, safety, and welfare. These conditions of approval shall be case by case specific and in addition to the standard regulations.
3. If negative impacts to the public's health, safety, and welfare cannot be mitigated through conditions of approval then the Planning Commission shall so find and deny the proposed conditional use permit.

Motion PASSED 5-0.

Parker Song/Pohlman moved to APPROVE the conditional use permit request filed by Anna Michelle Cleaver for marijuana retail at 1321 Sawmill Creek Road, Unit J, in the C 2 General Commercial and mobile home zone subject to the attached 11 conditions of approval. The property is also known as U.S. Survey 2729. The owner of record is Eagle Bay, LLC.

Conditions of Approval:

1. Owners, operators, and staff of conditional uses shall comply with all state and municipal licensing regulations.
2. All licensed facilities shall comply with all life and safety regulations as promulgated by the municipal Building Official.
3. All licensed manufacturing and cultivation uses shall provide a fire safety plan, material handling plan, and comply with all fire safety regulations that satisfies the Fire Marshal or their designee and the Building Official.
4. All licensed facilities and/or uses shall provide screening from public view of any marijuana related commercial, retail, cultivation, or manufacturing use.
5. All licensed facilities and/or uses shall establish an active sales account and business registration with the Municipality and shall comply with all standard & required accounting practices.
6. It shall be a standard regulation that all conditional uses comply with all applicable state regulations and licensing laws or it shall be deemed to abandon and extinguish and associated municipal license or conditional use permit.
7. All approved conditional use permits shall comply with all Sitka General Code or shall be deemed to abandon and extinguish any associated municipal license or conditional use permit
8. Applicant shall provide a Parking Plan that complies with Section 22.20.100 for all uses present and proposed at the current property including striped parking spaces where feasible (i.e. concrete or asphalt areas).
9. Odor Control shall include reasonable best means (such as high quality Commercial HEPA filter) to limit and mitigate odor impacts to surrounding uses. Should a meritorious odor complaint be received, the Planning Commission may require additional odor control measures to mitigate any actual negative impacts.
10. The proposed retail site shall not be located within 500 feet of any school grounds, recreation or youth center, religious service building, or correctional facility that was legally established prior to approval of this conditional use permit as intended by licensing restriction and regulations of the state in 3 AAC Chapter 306.
11. The Planning Commission may, at its discretion and upon receiving meritorious evidence of negative impacts to public health, safety, and welfare, schedule a review to address issues of concern and pursue mitigation through additional conditions if necessary.

Motion PASSED 5-0.

LEGAL NOTICE
New Retail Marijuana Store License

The City and Borough of Sitka has received a request for a new retail marijuana store license application submitted by Anna M Cleaver dba Weed Dudes for 1321 Sawmill Creek Road, Suite J; Sitka, AK.

The City and Borough of Sitka will consider this application at the Assembly Meeting of August 23, 2016 at 6:00 pm at 1332 Seward Avenue – University of Alaska Southeast. Any protest may be lodged either prior to or at that time.

Sara Peterson, CMC, Municipal Clerk

Publish: 8/12/16



City & Borough of Sitka
Municipal Clerk's Office

100 Lincoln Street, Sitka AK 99835
Telephone: 907-747-1811 Fax: 907-747-4004



Memorandum

To: Planning Department
Collections - Leisha
Municipal Billings – Lindsey
Sales Tax/Property Tax – Hannah
Utility Billing Clerk – Diana
Public Works Department – Mark and Shilo
Fire Department
Police Department
Electric Department
Building Official

From: Sara Peterson, Municipal Clerk

Date: August 1, 2016

Subject: New Retail Marijuana Store License

The Municipal Clerk's Office has been notified by the Alcohol and Marijuana Control Office of a new retail marijuana store license submitted by:

License #: 10220
License Type: Retail Marijuana Store
Licensee/Applicant: Anna M. Cleaver
D.B.A.: Weed Dudes
Physical Address: 1321 Sawmill Creek Road, Suite J; Sitka, AK
Designated Licensee: Anna M. Cleaver

Please notify me **no later than noon on Monday, August 15th** of any reason to protest this request. This license is scheduled to go before the Assembly on August 23rd.

Thank you.



THE STATE
of **ALASKA**
GOVERNOR BILL WALKER

**Department of Commerce, Community,
and Economic Development**

ALCOHOL & MARIJUANA CONTROL OFFICE
550 West 7th Avenue, Suite 1600
Anchorage, AK 99501
Main: 907.269.0350

July 29, 2016

City & Borough of Sitka
Attn: City & Borough of Sitka
Via Email: sara.peterson@cityofsitka.org
melissa.henshaw@cityofsitka.org
maegan.bosak@cityofsitka.org
Michael.scarcelli@cityofsitka.org
Robin.koutchak@cityofsitka.org
Reuben.yerkes@cityofsitka.org
planning@cityofsitka.org

License Number:	10220
License Type:	Retail Marijuana Store
Licensee:	ANNA M CLEAVER
Doing Business As:	WEED DUDES
Physical Address:	1321 Sawmill Creek Road Suite #J Sitka, AK 99835 - 9645
Designated Licensee:	ANNA M CLEAVER
Phone Number:	907-747-6168
Email Address:	amtsitka@gmail.com

- New Application Transfer of Ownership Application Renewal Application
 Onsite Consumption Endorsement

We have received a completed application for the above listed license (see attached application documents) within your jurisdiction. This is the notice required under 3 AAC 306.025(d)(2).

A local government may protest the approval of an application(s) pursuant to 3 AAC 306.060 by furnishing the director **and** the applicant with a clear and concise written statement of reasons for the protest within 60 days of the date of this notice. If a protest is filed, the board will deny the application unless the board finds that the protest is arbitrary, capricious, and unreasonable. To protest the application referenced above, please submit your protest within 60 days and show proof of service upon the applicant.

3 AAC 306.010, 3 AAC 306.080, and 3 AAC 306.250 provide that the board will deny an application for a new license if the board finds that the license is prohibited under AS 17.38 as a result of an ordinance or election conducted under AS 17.38 and 3 AAC 306.200.

Anna M Cleaver DBA Weed Dudes

July 29, 2016

Page 2

3 AAC 306.010(c) provides that the board will not issue a license when a local government protests an application on the grounds that the applicant's proposed licensed premises are located in a place within the local government where a local zoning ordinance prohibits the marijuana establishment, unless the local government has approved a variance from the local ordinance.

At this time, the fingerprints submitted by the applicant cannot be submitted for a criminal history report until a date to be determined by the Department of Public Safety and the Federal Bureau of Investigation based upon the effective date of the act containing enabling statutory language for such criminal history report. On April 27, 2016, the Marijuana Control Board directed me to determine applications complete based solely upon the representations made by the applicant in Form MJ-00.

Sincerely,



Cynthia Franklin, Director

amco.localgovernmentonly@alaska.gov



Alaska Marijuana Control Board

Cover Sheet for Marijuana Establishment Applications

Alcohol & Marijuana Control Office
550 W 7th Avenue, Suite 1600
Anchorage, AK 99501
marijuana.licensing@alaska.gov
<https://www.commerce.alaska.gov/web/amco>
Phone: 907.269.0350

What is this form?

This cover sheet **must** be completed and submitted any time a document, payment, or other marijuana establishment application item is emailed, mailed, or hand-delivered to AMCO's main office.

Items that are submitted without this page will be returned in the manner in which they were received.

Section 1 – Establishment Information

Enter information for the business seeking to be licensed, as identified on the license application.

Licensee:	ANNA M CLEAVER	License Number:	10220		
License Type:	Retail Marijuana Store				
Doing Business As:	WEED DUDES				
Physical Address:	1321 Sawmill Creek Road, Suite #J				
City:	Sitka	State:	AK	Zip Code:	99835 - 9645
Designated Owner:	Anna Michelle Cleaver				
Email Address:	weeddudessitka@gmail.com				

Section 2 – Attached Items

List all documents, payments, and other items that are being submitted along with this page.

Attached Items:	Entity Documents
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OFFICE USE ONLY

Received Date:		Payment Submitted Y/N:		Transaction #:	
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Alaska Entity #10036827

State of Alaska
Department of Commerce, Community, and Economic Development
Corporations, Business, and Professional Licensing

Certificate of Organization

The undersigned, as Commissioner of Commerce, Community, and Economic Development of the State of Alaska, hereby certifies that a duly signed and verified filing pursuant to the provisions of Alaska Statutes has been received in this office and has been found to conform to law.

ACCORDINGLY, the undersigned, as Commissioner of Commerce, Community, and Economic Development, and by virtue of the authority vested in me by law, hereby issues this certificate to

Weed Dudes LLC



IN TESTIMONY WHEREOF, I execute the certificate
and affix the Great Seal of the State of Alaska
effective March 16, 2016.

A handwritten signature in black ink, appearing to read "Chris Hladick".

Chris Hladick
Commissioner



THE STATE
of **ALASKA**

Department of Commerce, Community, and Economic Development
Division of Corporations, Business, and Professional Licensing
PO Box 110806, Juneau, AK 99811-0806
(907) 465-2550 - Email: corporations@alaska.gov
Website: Corporations.Alaska.gov

AK Entity #: 10036827
Date Filed: 03/16/2016
State of Alaska, DCCED

FOR DIVISION USE ONLY

Limited Liability Company
Initial Biennial Report

Web-3/16/2016 3:17:29 PM

Entity Name: Weed Dudes LLC
Entity Number: 10036827
Home Country: UNITED STATES
Home State/Province: ALASKA

Registered Agent
Name: Anna Michelle Cleaver
Physical Address: 100 BAHOVEC COURT, SITKA, AK 99835-9645
Mailing Address: 100 BAHOVEC COURT, SITKA, AK 99835-9645

Entity Physical Address: 1321 SAWMILL CREEK ROAD, SUITE J, SITKA, AK 99835-9645

Entity Mailing Address: 1321 SAWMILL CREEK ROAD, SUITE J, SITKA, AK 99835-9645

Please include all officials. Check all titles that apply. Must use titles provided. Please list the names and addresses of the members of the domestic limited liability company (LLC). There must be at least one member listed. If the LLC is managed by a manager(s), there must also be at least one manager listed. Please provide the name and address of each manager of the company. You must also list the name and address of each person owning at least 5% interest in the company and the percentage of interest held by that person.

Name	Address	% Owned	Titles
Anna Michelle Cleaver	100 Bahovec Court, Sitka, AK 99835-9645	100	Member

NAICS Code: 453998 - ALL OTHER MISCELLANEOUS STORE RETAILERS (EXCEPT TOBACCO STORES)

New NAICS Code (optional):

I certify under penalty of perjury under the Uniform Electronic Transaction Act and the laws of the State of Alaska that the information provided in this application is true and correct, and further certify that by submitting this electronic filing I am contractually authorized by the Official(s) listed above to act on behalf of this entity.

Name: Anna Michelle Cleaver



THE STATE
of **ALASKA**

Department of Commerce, Community, and Economic Development
Division of Corporations, Business, and Professional Licensing
PO Box 110806, Juneau, AK 99811-0806
(907) 465-2550 - Email: corporations@alaska.gov
Website: Corporations.Alaska.gov

AK Entity #: 10036827
Date Filed: 03/16/2016
State of Alaska, DCCED

FOR DIVISION USE ONLY

Articles of Organization
Domestic Limited Liability Company

Web-3/16/2016 3:06:02 PM

1 - Entity Name

Legal Name: Weed Dudes LLC

2 - Purpose

Recreational Marijuana Retail Store

3 - NAICS Code

453998 - ALL OTHER MISCELLANEOUS STORE RETAILERS (EXCEPT TOBACCO STORES)

4 - Registered Agent

Name: Anna Michelle Cleaver

Mailing Address: 100 Bahovec Court, Sitka, AK 99835-9645

Physical Address: 100 Bahovec Court, Sitka, AK 99835-9645

5 - Entity Addresses

Mailing Address: 1321 Sawmill Creek Road, Suite J, Sitka, AK 99835-9645

Physical Address: 1321 Sawmill Creek Road, Suite J, Sitka, AK 99835-9645

6 - Management

The limited liability company is managed by its members.

7 - Officials

Name	Address	% Owned	Titles
Anna Michelle Cleaver			Organizer

Name of person completing this online application

I certify under penalty of perjury under the Uniform Electronic Transaction Act and the laws of the State of Alaska that the information provided in this application is true and correct, and further certify that by submitting this electronic filing I am contractually authorized by the Official(s) listed above to act on behalf of this entity.

Name: Anna Michelle Cleaver

Alaska Business License # 1032760

Alaska Department of Commerce, Community, and Economic Development

Division of Corporations, Business and Professional Licensing

P.O. Box 110806, Juneau, Alaska 99811-0806

This is to certify that

WEED DUDES

100 BAHOVEC COURT SITKA AK 99835

owned by

ANNA M CLEAVER

is licensed by the department to conduct business for the period

February 23, 2016 through December 31, 2016

for the following line of business:

42 - Trade



This license shall not be taken as permission to do business in the state without having complied with the other requirements of the laws of the State or of the United States.

This license must be posted in a conspicuous place at the business location. It is not transferable or assignable.

Chris Hladick



Alaska Marijuana Control Board

Cover Sheet for Marijuana Establishment Applications

Alcohol & Marijuana Control Office
550 W 7th Avenue, Suite 1600
Anchorage, AK 99501
marijuana.licensing@alaska.gov
<https://www.commerce.alaska.gov/web/amco>
Phone: 907.269.0350

What is this form?

This cover sheet must be completed and submitted any time a document, payment, or other marijuana establishment application item is emailed, mailed, or hand-delivered to AMCO's main office.

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Section 1 – Establishment Information

Enter information for the business seeking to be licensed, as identified on the license application.

Licensee:	ANNA M CLEAVER	License Number:	10220
License Type:	Retail Marijuana Store		
Doing Business As:	WEED DUDES		
Physical Address:	1321 Sawmill Creek Road, Suite #J		
City:	Sitka	State:	AK
		Zip Code:	99835 - 9645
Designated Owner:	Anna Michelle Cleaver		
Email Address:	weeddudessitka@gmail.com		

Section 2 – Attached Items

List all documents, payments, and other items that are being submitted along with this page.

Attached Items:	<p style="font-size: 2em; color: blue;">Food Safety Permit</p> <div style="background-color: yellow; padding: 5px; margin-top: 20px; color: black;">to replace existing corrections complete</div>
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Received Date:		Payment Submitted Y/N:		Transaction #:	
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Alaska Food Code 2016 Establishment Permit

Division of Environmental Health
Food Safety & Sanitation

Permit Number: 121120679
Issued to: **Weed Dudes**
For: **ANNA Michelle Cleaver**
For Operation of: **FM-1 MJ Convenience with MJ (retail sales of edibles)**
Located at: **1321 Sawmill Creek Road Suite J; SITKA**

This permit, issued under the provisions of 18 AAC 31, is valid until the noted expiration date unless suspended or revoked by the department.

This permit is not transferable for change of ownership, facility location, or type of operation. It must be posted in plain view in the establishment and is the property of the State of Alaska.

Expiration Date:
December 31, 2016

Program Manager:

**If you have questions or concerns regarding
safe food handling practices call toll free:**

1-87-SAFE-FOOD

(in Anchorage call 334-2560)





Alaska Marijuana Control Board

Cover Sheet for Marijuana Establishment Applications

Alcohol & Marijuana Control Office
550 W 7th Avenue, Suite 1600
Anchorage, AK 99501
marijuana.licensing@alaska.gov
https://www.commerce.alaska.gov/web/amco
Phone: 907.269.0350

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Doing Business As:	WEED DUDES		
Physical Address:	1321 Sawmill Creek Road, Suite #J		
City:	Sitka	State:	AK
		Zip Code:	99835 - 9645
Designated Owner:	Anna Michelle Cleaver		
Email Address:	weeddudessitka@gmail.com		

Section 2 – Attached Items

List all documents, payments, and other items that are being submitted along with this page.

Attached Items:	<p>Alaska Marijuana Control Board Form M.J-00: Application Certifications</p> <p style="background-color: yellow; padding: 5px;">to replace existing corrections complete</p>
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OFFICE USE ONLY

Received Date:	Payment Submitted Y/N:	Transaction #:
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Alaska Marijuana Control Board

Form MJ-00: Application Certifications

What is this form?

This application certifications form is required for all marijuana establishment license applications. Each person signing an application for a marijuana establishment license must declare that he/she has read and is familiar with AS 17.38 and 3 AAC 306.

This form must be completed and submitted to AMCO's main office by each proposed licensee (as defined in 3 AAC 306.020(b)(2)) before any license application will be considered complete.

Section 1 – Establishment Information

Enter information for the business seeking to be licensed, as identified on the license application.

Licensee:	Anna Michelle Cleaver	License Number:	10220
License Type:	Retail Marijuana Store		
Doing Business As:	Weed Dudes		
Premises Address:	1321 Sawmill Creek Road #J		
City:	Sitka	State:	AK
		ZIP:	99835

Section 2 – Individual Information

Enter information for the individual licensee or affiliate.

Name:	Anna Michelle Cleaver
Title:	owner

Section 3 – Other Licenses

Ownership and financial interest in other licenses:

Yes No

Do you currently have or plan to have an ownership interest in, or a direct or indirect financial interest in another marijuana establishment license?

If "Yes", which license numbers (for existing licenses) and license types do you own or plan to own?

[Empty text box for license details]



Alaska Marijuana Control Board

Form MJ-00: Application Certifications

Section 4 – Certifications

Read each line below, and then sign your initials in the box to the right of each statement:

Initials

I certify that I have not been convicted of a felony in any state or the United States, including a suspended imposition of sentence, for which less than five years have elapsed from the time of the conviction to the date of this application.

AMC

I certify that I am not currently on felony probation or felony parole.

AMC

I certify that I have not been found guilty of selling alcohol without a license in violation of AS 04.11.010.

AMC

I certify that I have not been found guilty of selling alcohol to an individual under 21 years of age in violation of 04.16.051 or AS 04.16.052.

AMC

I certify that I have not been convicted of a misdemeanor crime involving a controlled substance, violence against a person, use of a weapon, or dishonesty within the five years preceding this application.

AMC

I certify that I have not been convicted of a class A misdemeanor relating to selling, furnishing, or distributing marijuana or operating an establishment where marijuana is consumed within the two years preceding this application.

AMC

I certify that my proposed premises is not within 500 feet of a school ground, recreation or youth center, a building in which religious services are regularly conducted, or a correctional facility, as set forth in 3 AAC 306.010(a).

AMC

I certify that my proposed premises is not located in a liquor licensed premises.

AMC

I certify that I meet the residency requirement under AS 43.23 for a permanent fund dividend in the calendar year in which I am initiating this application.

AMC

I certify that all proposed licensees (as defined in 3 AAC 306.020(b)(2)) and affiliates (as defined in 3 AAC 306.990(a)(1)) have been listed on my online marijuana establishment license application.

AMC

I certify that all proposed licensees have been listed on my application with the Division of Corporations.

AMC

I certify that I understand that providing a false statement on this form, the online application, or any other form provided by AMCO is grounds for denial of my application.

AMC



Alcohol and Marijuana Control Office
550 W 7th Avenue, Suite 1600
Anchorage, AK 99501
marijuana.licensing@alaska.gov
<https://www.commerce.alaska.gov/web/amco>
Phone: 907.269.0350

Alaska Marijuana Control Board

Form MJ-00: Application Certifications

Read each line below, and then sign your initials in the box to the right of only the applicable statement:

Initials

Only initial next to the following statement if this form is accompanying an application for a marijuana testing facility license:

I certify that I do not have an ownership in, or a direct or indirect financial interest in a retail marijuana store, a marijuana cultivation facility, or a marijuana products manufacturing facility.

Only initial next to the following statement if this form is accompanying an application for a retail marijuana store, a marijuana cultivation facility, or a marijuana products manufacturing facility license:

I certify that I do not have an ownership in, or a direct or indirect financial interest in a marijuana testing facility license.

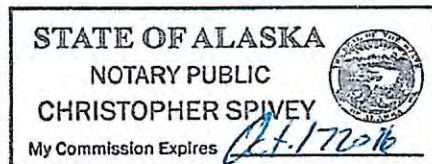
 AMC

All marijuana establishment license applicants:

As an applicant for a marijuana establishment license, I declare under penalty of unsworn falsification that I have read and am familiar with AS 17.38 and 3 AAC 306, and that I have examined the online application and this form, including all accompanying schedules and statements, and to the best of my knowledge and belief find them to be true, correct, and complete.

Anna Michelle Cleaves
Signature of licensee

Subscribed and sworn to before me this 11th day of April, 2016.



[Signature]
Notary Public in and for the State of Alaska.

My commission expires: 01-17-2016



Alaska Marijuana Control Board

Cover Sheet for Marijuana Establishment Applications

Alcohol & Marijuana Control Office
550 W 7th Avenue, Suite 1600
Anchorage, AK 99501
marijuana.licensing@alaska.gov
https://www.commerce.alaska.gov/web/amco
Phone: 907.269.0350

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Enter information for the business seeking to be licensed, as identified on the license application.

Licensee:	ANNA M CLEAVER	License Number:	10220		
License Type:	Retail Marijuana Store				
Doing Business As:	WEED DUDES				
Physical Address:	1321 Sawmill Creek Road, Suite #J				
City:	Sitka	State:	AK	Zip Code:	99835 - 9645
Designated Owner:	Anna Michelle Cleaver				
Email Address:	weeddudessitka@gmail.com				

Section 2 – Attached Items

List all documents, payments, and other items that are being submitted along with this page.

Attached Items:	<p>Alaska Marijuana Control Board Form MJ-01: Marijuana Establishment Operating Plan</p> <p style="background-color: yellow; padding: 5px;">to replace existing corrections complete</p>
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OFFICE USE ONLY

Received Date:	Payment Submitted Y/N:	Transaction #:
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Alaska Marijuana Control Board

Form MJ-01: Marijuana Establishment Operating Plan

What is this form?

An operating plan is required for all marijuana establishment license applications. Applicants should review **Title 17.38 of Alaska Statutes** and **Chapter 306 of the Alaska Administrative Code**. This form will be used to document how an applicant intends to meet the requirements of those statutes and regulations. If your business has a formal operating plan, you may include a copy of that operating plan with your application, but all fields of this form must still be completed per 3 AAC 306.020(c).

What must be covered in an operating plan?

Applicants must identify how the proposed premises will comply with applicable statutes and regulations regarding the following:

- Security
- Inventory tracking of all marijuana and marijuana product on the premises
- Employee qualification and training
- Waste disposal
- Transportation and delivery of marijuana and marijuana products
- Signage and advertising
- Control plan for persons under the age of 21

Applicants must also complete the corresponding operating plan supplemental forms (**Form MJ-03, Form MJ-04, Form MJ-05, or Form MJ-06**) to meet the additional operating plan requirements for each license type.

Section 1 – Establishment Information

Enter information for the business seeking to be licensed, as identified on the license application.

Licensee:	Anna Michelle Cleaver	License Number:	10220		
License Type:	Retail Marijuana Store				
Doing Business As:	Weed Dudes				
Premises Address:	1321 Sawmill Creek Road #J				
City:	Sitka	State:	ALASKA	ZIP:	99835
Mailing Address:	1321 Sawmill Creek Road #J				
City:	Sitka	State:	ALASKA	ZIP:	99835
Primary Contact:	Anna Michelle Cleaver				
Main Phone:	(907)747-6168	Cell Phone:	(907)738-6423		
Email:	weeddudessitka@gmail.com				



Alaska Marijuana Control Board

Form MJ-01: Marijuana Establishment Operating Plan

Section 2 – Security

Review the requirements under 3 AAC 306.710 – 3 AAC 306.720 and 3 AAC 306.755, and identify how the proposed premises will meet the listed requirements.

Describe how the proposed premises will comply with each of the following:

Restricted Access Areas (3 AAC 306.710):

Describe how you will prevent unescorted members of the public from entering restricted access areas:

When customers enter the store they will be on one side of display cases. A single entrance to the back of cases will have a 36" gate preventing customer passage.

Describe your processes for admitting visitors into and escorting them through restricted access areas:

If a visitor wishes access to a restricted area they must

1. Present ID
2. Sign Visitor Log
3. Wear Visitor Badge
4. Obey Employee Instructions
5. Will never leave the employee while in restricted area



Alaska Marijuana Control Board

Form MJ-01: Marijuana Establishment Operating Plan

Describe your recordkeeping of visitors who are escorted into restricted access areas:

All visitors will sign a log permitting them access to a restricted area. Such logs will be kept in locked records area for a period of one year.

Provide a copy of a sample identification badge to be displayed by each licensee, employee, or agent while on the premises:

Identification Badge to be worn by all employees while on the clock and on the property.





Alaska Marijuana Control Board

Form MJ-01: Marijuana Establishment Operating Plan

Security Alarm Systems and Lock Standards (3 AAC 306.715):

Exterior lighting is required to facilitate surveillance. Describe how the exterior lighting will meet this requirement:

There is exterior lighting located directly in front of the store. There is also lighting at the back door. All lights are on sensors and come on automatically. There is adequate lighting for all security cameras.

An alarm system is required for all license types. Describe the security alarm system for the proposed premises:

There will be an alarm system for the front door entrance and the rear exit. There are no windows on the property. An automatic notification of alarm trigger will go to 1. Security Firm 2. Sitka Police 3. Anna Cleaver. Appropriate actions will be taken depending on variables.

The alarm system must be activated on all exterior doors and windows when the licensed premises is closed for business. Describe how the security alarm system meets this requirement:

Steel Scissor gates will cover front and rear entrance. Commercial grade locks will lock each door, armed alarm system inside will trigger once door is opened and give person entering a short amount of time to deactivate before automatic notification sent.



Alaska Marijuana Control Board

Form MJ-01: Marijuana Establishment Operating Plan

Describe your policies and procedures for preventing diversion of marijuana or marijuana product:

All inventory will be kept in a locked vault, which will be under 24 hour surveillance and held for 40 days. All inventory will be coded and scanned as it enters vault and as it leaves vault using State of AK METRC system. Our inventory system will track product in and out of the vault to front display cases for public sale. Employee theft will be thwarted by using blind inventory practices as well as spot inventory counts. Our software will help store managers stay on top of loss prevention utilizing software protocols. Cashout procedures using POS protocol software will make balancing the tills and inventory an accurate procedure compiled and sent to the State daily through the METRC programs.

Describe your policies and procedures for preventing loitering:

If a person is noticed loitering, an employee will address such a person and request they leave the area. Manager will make the second request and notify the owner (Anna Cleaver). Owner will handle by asking third time for individual to leave the property or the area near the property in front or rear parking lot. After that 3rd request is ignored, the police will be contacted.

Describe your policies and procedures regarding the use of any additional security device, such as a motion detector, pressure switch, and duress, panic, or hold-up alarm to enhance security of the proposed premises:

A single locked door with keypad will be placed in between retail store and back work area. An intercom between these areas will help management and other employees handle any problems in the retail end whilst keeping customers secure in the public area or parking lot.



Alaska Marijuana Control Board

Form MJ-01: Marijuana Establishment Operating Plan

Describe your policies and procedures regarding the actions to be taken by a licensee, employee, or agent when any automatic or electronic notification system alerts a local law enforcement agency of an unauthorized breach of security:

If alerted by notification:

1. Owner shall consult security camera feeds live to see what is occurring
2. Onsite Manager will inspect area in person
3. Police will be called if
 - a. people are found in the area without authorization
 - b. people are breaking in
 - c. cars are seen leaving the area

Video Surveillance (3 AAC 306.720):

All licensed marijuana establishments must meet minimum standards for surveillance equipment. Applicants should be able to answer "Yes" to all items below.

Video surveillance and camera recording system covers the following areas of the premises:	Yes	No
Each restricted access area and each entrance to a restricted access area	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Both the interior and exterior of each entrance to the facility	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Each point of sale area	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Each video surveillance recording:	Yes	No
Is preserved for a minimum of 40 days, in a format that can be easily accessed for viewing	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Clearly and accurately displays the time and date	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Is archived in a format that does not permit alteration of the recorded image, so that the images can readily be authenticated	<input checked="" type="checkbox"/>	<input type="checkbox"/>



Alaska Marijuana Control Board

Form MJ-01: Marijuana Establishment Operating Plan

Describe how the video cameras will be placed to produce a clear view adequate to identify any individual inside the licensed premises, or within 20 feet of each entrance to the licensed premises:

State of the art cameras will be placed on all entrances/exits of the premises inside and outdoors. Eight (8) cameras shall easily identify all people entering/exiting building in wide perspectives outside and more close up inside.

Describe the locked and secure area where video surveillance recording equipment and records will be housed and stored and how you will ensure the area is accessible only to authorized personnel, law enforcement, or an agent of the board:

The cameras will show up on two monitors located in the office area at the manager's desk. The main base and camera recording equipment will be located nearby in locked cabinet with keys authorized to store managers. Daily backup shall be made to offsite security facility.

Location of Surveillance Equipment and Video Surveillance Records:

Yes No

Surveillance room or area is clearly defined on the premises diagram

Surveillance recording equipment and video surveillance records are housed in a designated, locked, and secure area or in a lock box, cabinet, closet or other secure area

Surveillance recording equipment access is limited to a marijuana establishment licensee or authorized employee, and to law enforcement personnel including an agent of the board

Video surveillance records are stored off-site



Alaska Marijuana Control Board

Form MJ-01: Marijuana Establishment Operating Plan

Business Records (3 AAC 306.755):

All licensed marijuana establishments must maintain, in a format that is readily understood by a reasonably prudent business person, certain business records. Applicants should be able to answer "Yes" to all items below.

Business Records Maintained and Kept on the Licensed Premises:	Yes	No
All books and records necessary to fully account for each business transaction conducted under its license for the current year and three preceding calendar years; records for the last six months are maintained on the marijuana establishment's licensed premises; older records may be archived on or off-premises	<input checked="" type="checkbox"/>	<input type="checkbox"/>
A current employee list setting out the full name and marijuana handler permit number of each licensee, employee, and agent who works at the marijuana establishment	<input checked="" type="checkbox"/>	<input type="checkbox"/>
The business contact information for vendors that maintain video surveillance systems and security alarm systems for the licensed premises	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Records related to advertising and marketing	<input checked="" type="checkbox"/>	<input type="checkbox"/>
A current diagram of the licensed premises including each restricted access area	<input checked="" type="checkbox"/>	<input type="checkbox"/>
A log recording the name, and date and time of entry of each visitor permitted into a restricted access area	<input checked="" type="checkbox"/>	<input type="checkbox"/>
All records normally retained for tax purposes	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Accurate and comprehensive inventory tracking records that account for all marijuana inventory activity from seed or immature plant stage until the retail marijuana or retail marijuana product is sold to a consumer, to another marijuana establishment, or destroyed	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Transportation records for marijuana and marijuana product as required under 3 AAC 306.750(f)	<input checked="" type="checkbox"/>	<input type="checkbox"/>



Alaska Marijuana Control Board

Form MJ-01: Marijuana Establishment Operating Plan

A marijuana establishment is required to exercise due diligence in preserving and maintaining all required records. Describe how you will prevent records and data, including electronically maintained records, from being lost or destroyed:

All business operations performed on a computer will be backed up daily. In addition, daily backups will be sent offsite for storage.

Employee records, logs and other hard data will be housed in a locked cabinet accessible by authorized store managers.

All records will be maintained and organized onsite and can be readily available and accessible by any reasonable request.



Alaska Marijuana Control Board

Form MJ-01: Marijuana Establishment Operating Plan

Section 3 – Inventory Tracking of All Marijuana and Marijuana Product

Review the requirements under 3 AAC 306.730, and identify how the proposed establishment will meet the listed requirements.

All licensed marijuana establishments must use a marijuana inventory tracking system capable of sharing information with the system the board implements to ensure all marijuana cultivated and sold in the state, and each marijuana product processed and sold in the state, is identified and tracked from the time the marijuana propagated from seed or cutting, through transfer to another licensed marijuana establishment, or use in manufacturing a product, to a completed sale of marijuana or marijuana product, or disposal of the harvest batch of marijuana or production lot of marijuana product.

Applicants should be able to answer "Yes" to all items below.

Marijuana Tracking and Weighing:

Yes No

A marijuana inventory tracking system, capable of sharing information with the system the board implements to ensure tracking for the reasons listed above, will be used

All marijuana delivered to a marijuana establishment will be weighed on a scale certified in compliance with 3 AAC 306.745

Describe the marijuana tracking system that you plan to use and how you will ensure that it is capable of sharing information with the system the board implements:

I will be using the Marijuana Enforcement, Tracking, Reporting and Compliance program or METRC inventory system by Framwell. Framwell is an authorized contractor by AMCO ensuring our ability to interface our inventory status with the State of AK. Our POS system will also be purchased in conjunction with the METRC system assuring proper interfaces and excellent product control.



Alaska Marijuana Control Board

Form MJ-01: Marijuana Establishment Operating Plan

Section 4 – Employee Qualification and Training

Review the requirements under 3 AAC 306.700, and identify how the proposed establishment will meet the listed requirements.

A marijuana establishment and each licensee, employee, or agent of the marijuana establishment who sells, cultivates, manufactures, tests, or transports marijuana or a marijuana product, or who checks the identification of a consumer or visitor, shall obtain a marijuana handler permit from the board before being licensed or beginning employment at a marijuana establishment.

Applicants should be able to answer “Yes” to all items below.

Marijuana Handler Permit:

Yes No

Each licensee, employee, or agent of the marijuana establishment who sells, cultivates, manufactures, tests, or transports marijuana or marijuana product, or who checks the identification of a consumer or visitor, shall obtain a marijuana handler permit from the board before being licensed or beginning employment at the marijuana establishment

Each licensee, employee, or agent who is required to have a marijuana handler permit shall keep that person’s marijuana handler permit card in that person’s immediate possession (or a valid copy on file on the premises of a retail marijuana store, marijuana cultivation facility, or marijuana product manufacturing facility) when on the licensed premises

Each licensee, employee, or agent who is required to have a marijuana handler permit shall ensure that that person’s marijuana handler permit card is valid and has not expired

Describe how your establishment will meet the requirements for employee qualifications and training:

All employees will be required to obtain a marijuana handler permit and keep original in store on file. Additionally, all employees will undergo training for Weed Dudes, by the owner, Anna Cleaver, which will cover procedures and policies implemented to educate customers, identify potentially impaired customers, security procedures and emergency training to enhance the state testing procedures.



Alaska Marijuana Control Board

Form MJ-01: Marijuana Establishment Operating Plan

Section 5 – Waste Disposal

Review the requirements under 3 AAC 306.740, and identify how the proposed establishment will meet the listed requirements.

Applicants should be able to answer “Yes” to the statement below.

Marijuana Waste Disposal:

Yes No

The marijuana establishment shall give the board at least 3 days notice in the marijuana inventory tracking system required under 3 AAC 306.730 before making the waste unusable and disposing of it

Describe how you will store, manage, and dispose of any solid or liquid waste, including wastewater generated during marijuana cultivation, production, process, testing, or retail sales, in compliance with applicable federal, state, and local laws and regulations:

A large vault permanently installed in premises shall house all of the inventory. Any expired product will be noted as such, reported to the board and slated for destruction 7 days after required notification. Such materials will be either composted off premises or incinerated according to local regulations.

Describe what material or materials you will mix with the ground marijuana waste to make it unusable:

After marijuana product is ground into small particles it will be mixed with coffee grounds, eggshells, worm casings and dirt, it will be stored under plastic and composted for 60 days.



Alaska Marijuana Control Board

Form MJ-01: Marijuana Establishment Operating Plan

Marijuana waste must be rendered unusable for any purpose for which it was grown or produced before it leaves the marijuana establishment. Describe the process or processes that you will use to make the marijuana plant waste unusable:

Any expired, tainted or unacceptable marijuana product will be considered unsellable and removed from inventory and stored in vault for seven days after notifying AMCO through the inventory tracking system.

A. If product sent to composting, then it will be ground into small pieces using an industrial food processor. The product will then be mixed with coffee grounds, egg shells, worm casings and taken off site to be mixed with dirt and covered with plastic and composted for 60 days.

B. If product is sent to incineration, travel manifest will be prepared, product moved to incineration site and reduced to a pile of ash through the method of fire as regulated by local laws. All transactions shall be recorded, filed, saved and backed up.



Alaska Marijuana Control Board

Form MJ-01: Marijuana Establishment Operating Plan

Alcohol and Marijuana Control Office

550 W 7th Avenue, Suite 1600

Anchorage, AK 99501

marijuana.licensing@alaska.gov

<https://www.commerce.alaska.gov/web/amco>

Phone: 907.269.0350

Section 6 – Transportation and Delivery of Marijuana and Marijuana Products

Review the requirements under 3 AAC 306.750, and identify how the proposed establishment will meet the listed requirements.

Applicants should be able to answer “Yes” to all items below.

Marijuana Transportation:

Yes No

The marijuana establishment from which a shipment of marijuana or marijuana product originates will ensure that any individual transporting marijuana shall have a marijuana handler permit required under 3 AAC 306.700

The marijuana establishment that originates the transport of any marijuana or marijuana product will use the marijuana inventory tracking system to record the type, amount, and weight of marijuana or marijuana product being transported, the name of the transporter, the time of departure and expected delivery, and the make, model, and license plate number of the transporting vehicle

The marijuana establishment that originates the transport of any marijuana or marijuana product will ensure that a complete printed transport manifest on a form prescribed by the board must be kept with the marijuana or marijuana product at all times during transport

During transport, any marijuana or marijuana product will be in a sealed package or container in a locked, safe, and secure storage compartment in the vehicle transporting the marijuana or marijuana product, and the sealed package will not be opened during transport

Any vehicle transporting marijuana or marijuana product will travel directly from the shipping marijuana establishment to the receiving marijuana establishment, and will not make any unnecessary stops in between except to deliver or pick up marijuana or marijuana product at any other licensed marijuana establishment

When the marijuana establishment receives marijuana or marijuana product from another licensed marijuana establishment, the recipient of the shipment will use the marijuana inventory tracking system to report the type, amount, and weight of marijuana or marijuana product received

The marijuana establishment will refuse to accept any shipment of marijuana or marijuana product that is not accompanied by the transport manifest



Alaska Marijuana Control Board

Form MJ-01: Marijuana Establishment Operating Plan

Describe how marijuana or marijuana product will be prepared, packaged, and secured for shipment:

Marijuana leaving Weed Dudes for another retail store or for destruction will be packaged in an airtight, vacuum sealed bag or air tight container. The shipment shall be documented through the Alaska tracking system by the type of product, weight and final destination. A complete and printed manifest shall also include the name of transporter, date, time, vehicle description (make, model and license) and shall accompany the shipment at all times.

Describe the type of locked, safe, and secure storage compartments that will be used in any vehicles transporting marijuana or marijuana product:

If using a transport service, I would require they have a locking compartment permanently attached to the vehicle. If using my own vehicle, I plan to have a heavy duty tool box bolted through my trunk and permanently welded to car frame to carry product locked in my car locked in a box.



Alaska Marijuana Control Board

Form MJ-01: Marijuana Establishment Operating Plan

Section 7 – Signage and Advertising

Describe any signs that you intend to post on your establishment with your business name, including quantity and dimensions:

On the Mall Occupants sign (where all businesses in the business center are listed) Weed Dudes will have a 24" x 60" (1440 sq in) sign with WEED DUDES and phone number. Above our shop on awning we will have a 36" x 96" (3456 sq in) sign with WEED DUDES and phone number. 3rd sign will appear on glass entrance door will be 24" x 36" (864 sq in) which will say WEED DUDES and phone number.

If you are not applying for a retail marijuana store license, you do not need to complete the rest of Section 7, including Page 17.

Restriction on advertising of marijuana and marijuana products (3 AAC 306.360):

All licensed retail marijuana stores must meet minimum standards for signage and advertising.

Applicants should be able to answer "Agree" to all items below.

No advertisement for marijuana or marijuana product will contain any statement or illustration that:	Agree	Disagree
Is false or misleading	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Promotes excessive consumption	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Represents that the use of marijuana has curative or therapeutic effects	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Depicts a person under the age of 21 consuming marijuana	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Includes an object or character, including a toy, a cartoon character, or any other depiction designed to appeal to a child or other person under the age of 21, that promotes consumption of marijuana	<input checked="" type="checkbox"/>	<input type="checkbox"/>



Alaska Marijuana Control Board

Form MJ-01: Marijuana Establishment Operating Plan

No advertisement for marijuana or marijuana product will be placed:

Agree Disagree

Within one thousand feet of the perimeter of any child-centered facility, including a school, childcare facility, or other facility providing services to children, a playground or recreation center, a public park, a library, or a game arcade that is open to persons under the age of 21

On or in a public transit vehicle or public transit shelter

On or in a publicly owned or operated property

Within 1000 feet of a substance abuse or treatment facility

On a campus for post-secondary education

Signage and Promotional Materials:

Agree Disagree

I understand and agree to follow the limitations for signs under 3 AAC 306.360(a)

The retail marijuana store will not use giveaway coupons as promotional materials, or conduct promotional activities such as games or competitions to encourage sale of marijuana or marijuana products

All advertising for marijuana or any marijuana product will contain the warnings required under 3 AAC 306.360(e)



Alaska Marijuana Control Board

Form MJ-01: Marijuana Establishment Operating Plan

Section 8 – Control Plan for Persons Under the Age of 21

Describe how the marijuana establishment will prevent persons under the age of 21 from gaining access to any portion of the licensed premises and marijuana items:

There will be a large (12"x12") sign displayed prominently on front entrance glass door you must be 21 to enter or No One under the age of 21 allowed. Persons will not be allowed inside premises unless they present valid ID (an unexpired and unaltered: passport, driver's license or permit, United States ID card, or province of Canada.

I declare under penalty of perjury that I have examined this form, including all accompanying schedules and statements, and to the best of my knowledge and belief find it to be true, correct, and complete.

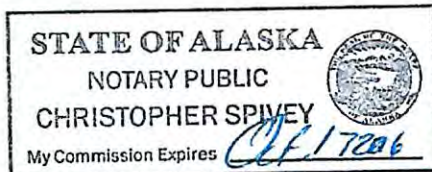
Anna Michelle Cleaver

Signature of licensee

Anna Michelle Cleaver

Printed name

Subscribed and sworn to before me this 11th day of April, 2016.



[Signature]
Notary Public in and for the State of Alaska.

My commission expires 01/17/2016



Alcohol and Marijuana Control Office

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Anchorage, AK 99501

marijuana.licensing@alaska.gov

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Phone: 907.269.0350

Alaska Marijuana Control Board

Form MJ-01: Marijuana Establishment Operating Plan

(Additional Space as Needed):



Alaska Marijuana Control Board

Cover Sheet for Marijuana Establishment Applications

Alcohol & Marijuana Control Office
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Anchorage, AK 99501
marijuana.licensing@alaska.gov
https://www.commerce.alaska.gov/web/amco
Phone: 907.269.0350

What is this form?

This cover sheet **must** be completed and submitted any time a document, payment, or other marijuana establishment application item is emailed, mailed, or hand-delivered to AMCO's main office.

Items that are submitted without this page will be returned in the manner in which they were received.

Section 1 – Establishment Information

Enter information for the business seeking to be licensed, as identified on the license application.

Licensee:	ANNA M CLEAVER	License Number:	10220		
License Type:	Retail Marijuana Store				
Doing Business As:	WEED DUDES				
Physical Address:	1321 Sawmill Creek Road, Suite #J				
City:	Sitka	State:	AK	Zip Code:	99835 - 9645
Designated Owner:	Anna Michelle Cleaver				
Email Address:	weeddudessitka@gmail.com				

Section 2 – Attached Items

List all documents, payments, and other items that are being submitted along with this page.

Attached Items:	<p>MJ-02: Premises Diagram Alaska Marijuana Control Board</p> <p style="background-color: yellow; padding: 5px; display: inline-block;">to replace existing corrections complete</p>
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OFFICE USE ONLY

Received Date:	Payment Submitted Y/N:	Transaction #:
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Alaska Marijuana Control Board Form MJ-02: Premises Diagram

What is this form?

A detailed diagram of the proposed licensed premises is required for all marijuana establishment license applications, per 3 AAC 306.020(b)(8). Your diagram must show all entrances and boundaries of the premises, restricted access areas, and storage areas, and dimensions. If your proposed premises is located within a building or building complex that contains multiple businesses and/or tenants, please provide an additional page that clearly shows the location of your proposed premises within the building or building complex, along with the addresses and/or suite numbers of the other businesses and/or tenants within the building or building complex. For those applying for a limited marijuana cultivation license, the proposed area(s) for cultivation must be clearly delineated.

The **second page of this form is not required**. Blueprints, CAD drawings, or other clearly drawn and marked diagrams may be submitted in lieu of the second page of this form. The first page must still be completed, attached to, and submitted with any supplemental diagrams. An AMCO employee may require you to complete the second page of this form if additional documentation for your premises diagram is needed.

This form must be completed and submitted to AMCO's main office before any license application will be considered complete.

Yes No

I have attached blueprints, CAD drawings, or other supporting documents in addition to, or in lieu of, the second page of this form.

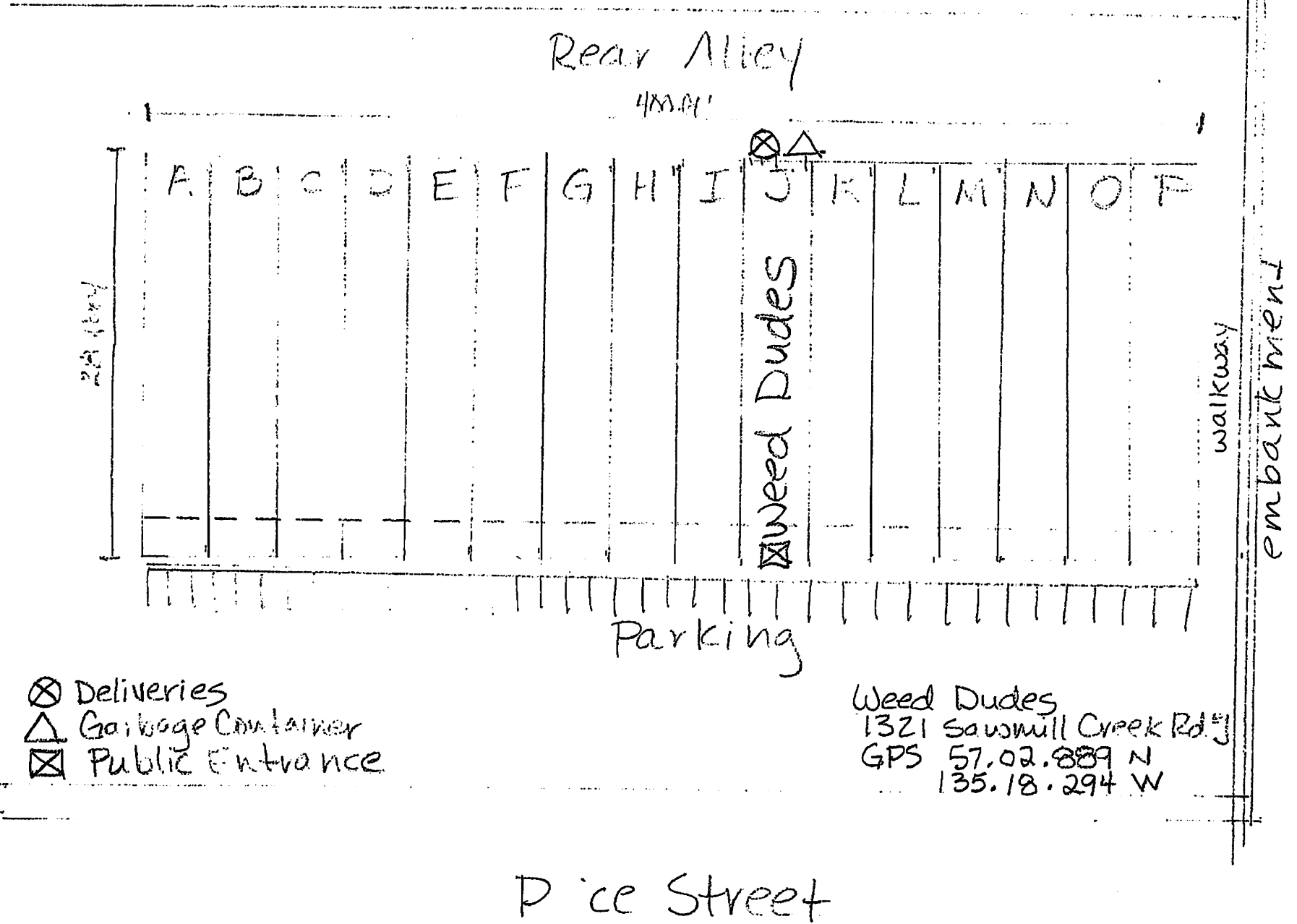
Section 1 – Establishment Information

Enter information for the business seeking to be licensed, as identified on the license application.

Licensee:	Anna Michelle Cleaver	License Number:	10220		
License Type:	Retail Marijuana Store				
Doing Business As:	Weed Dudes				
Premises Address:	1321 Sawmill Creek Road #J				
City:	Sitka	State:	AK	ZIP:	99835

Sawmill Creek Rd
1321 Sawmill Creek
Plot Diagram

Sawmill Creek Road

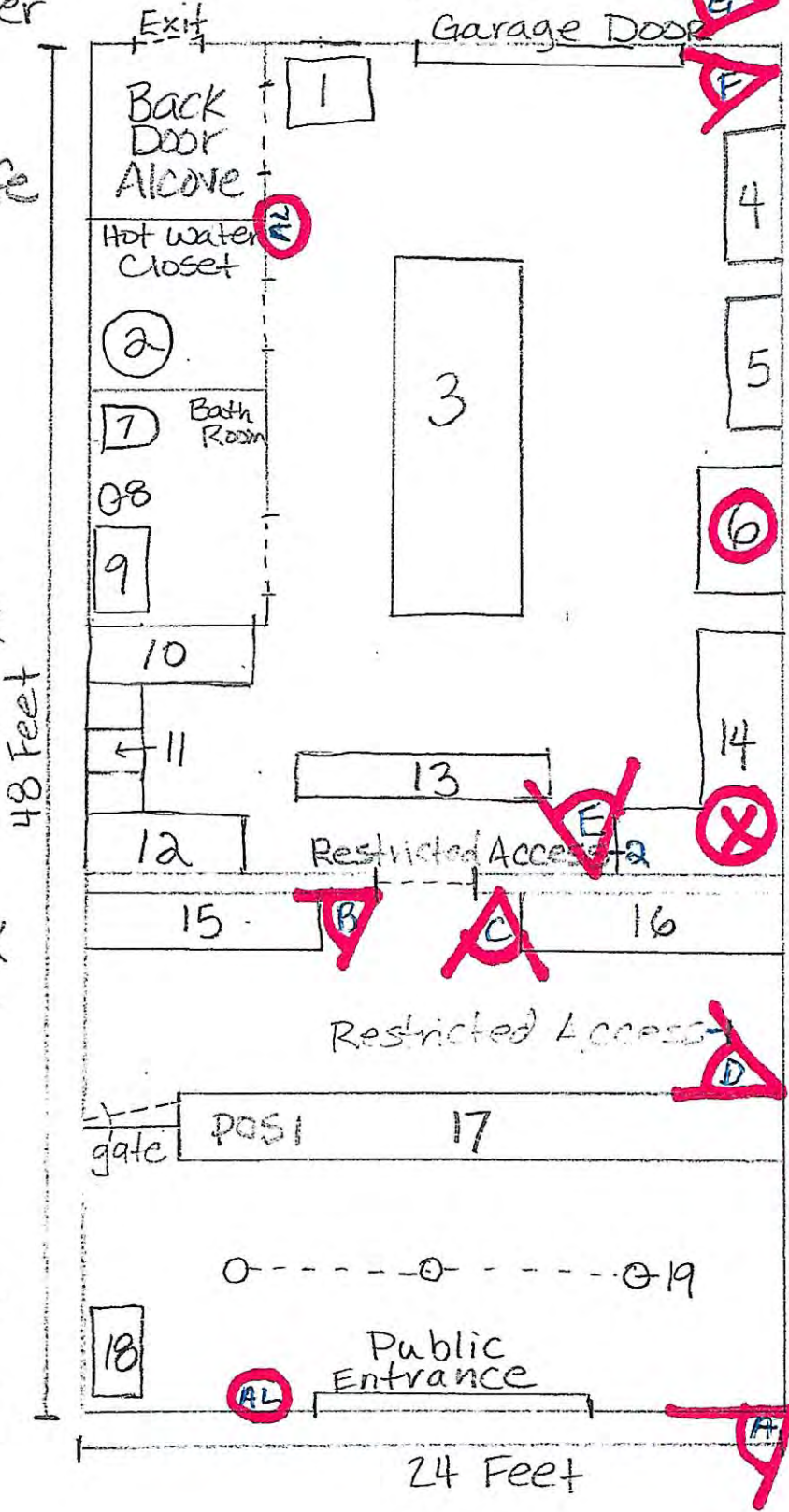


- ⊗ Deliveries
- △ Garbage Container
- ⊠ Public Entrance

Weed Dudes
1321 Sawmill Creek Rd.
GPS 57.02.889 N
135.18.294 W

Weed Dudes Floor Plan

1. Heat Pump
2. 30 gal Hot Water Heater
3. 4'x8' work Area
4. Inventory Vault/Safe
5. Locked Filing Cabinet
6. Locking Security Cabinet (Hardware)
7. Toilet
8. Mop Sink
9. Hand Sink
10. Work Area
11. 3 comp Sink
12. Work Area
13. Shelving Area
14. Work Desk
- Security Obs. Station
15. Storage Cab
16. Storage Cab
17. Display Cabinet
18. ATM
19. Security Line Up



Security Key

- Camera + Coverage
- A: outside: Front Entrance
- B: POS | Restricted Access-1 Gate
- C: Inside Front Entrance
- D: Restricted Access-2
- E: Back Room Vault + Work Area
- F: Back Door + Garage Door (inside)
- G: Back Door + Garage Door (outside)
- Locking Security Cabinet
- Security monitor station
- Alarm keypad

Unit # J
 Sawmill Creek Plaza
 1321 SMC Road - Sitka, Alaska



Alaska Marijuana Control Board

Cover Sheet for Marijuana Establishment Applications

Alcohol & Marijuana Control Office
 550 W 7th Avenue, Suite 1600
 Anchorage, AK 99501
 marijuana.licensing@alaska.gov
<https://www.commerce.alaska.gov/web/amco>
 Phone: 907.269.0350

What is this form?

This cover sheet **must** be completed and submitted any time a document, payment, or other marijuana establishment application item is emailed, mailed, or hand-delivered to AMCO's main office.

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Section 1 – Establishment Information

Enter information for the business seeking to be licensed, as identified on the license application.

Licensee:	ANNA M CLEAVER	License Number:	10220		
License Type:	Retail Marijuana Store				
Doing Business As:	WEED DUDES				
Physical Address:	1321 Sawmill Creek Road, Suite #J				
City:	Sitka	State:	AK	Zip Code:	99835 - 9645
Designated Owner:	Anna Michelle Cleaver				
Email Address:	weeddudessitka@gmail.com				

Section 2 – Attached Items

List all documents, payments, and other items that are being submitted along with this page.

Attached Items:	Alaska Marijuana Control Board Form MS-03: Operating Plan Supplemental Retail <div style="background-color: yellow; padding: 5px; display: inline-block;"> to replace existing corrections complete </div>
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Alaska Marijuana Control Board Operating Plan Supplemental Form MJ-03: Retail Marijuana Store

What is this form?

This operating plan supplemental form is required for all applicants seeking a retail marijuana store license and must accompany the **Marijuana Establishment Operating Plan (Form MJ-01)**, per 3 AAC 306.020(b)(11). Applicants should review **Chapter 306: Article 3 of the Alaska Administrative Code**. This form will be used to document how an applicant intends to meet the requirements of those regulations. If your business has a formal operating plan, you may include a copy of that operating plan with your application, but all fields of this form must still be completed per 3 AAC 306.020 and 3 AAC 306.315(2).

What additional information is required for retail stores?

Applicants must identify how the proposed establishment will comply with applicable regulations regarding the following:

- Prohibitions
- On-site consumption
- Displays and sales
- Exit packaging and labeling
- Security

This form must be submitted to AMCO's main office before any retail marijuana store license application will be considered complete.

Section 1 – Establishment Information

Enter information for the business seeking to be licensed, as identified on the license application.

Licensee:	Anna Michelle Cleaver	License Number:	10220		
License Type:	Retail Marijuana Store				
Doing Business As:	Weed Dudes				
Premises Address:	1321 Sawmill Creek Road				
City:	Sitka	State:	ALASKA	ZIP:	99835



Alaska Marijuana Control Board
Operating Plan Supplemental
Form MJ-03: Retail Marijuana Store

Alcohol and Marijuana Control Office
550 W 7th Avenue, Suite 1600
Anchorage, AK 99501
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Phone: 907.269.0350

Section 2 – Prohibitions

Applicants should review 3 AAC 306.310 and be able to answer “Agree” to all items below.

The retail marijuana store will not:

Agree Disagree

Sell, give, distribute, deliver, or offer to sell, give, distribute, or deliver marijuana or marijuana product in a quantity exceeding the limit set out in 3 AAC 306.355

Sell, give, distribute, deliver, or offer to sell, give, distribute, or deliver marijuana or marijuana product over the internet

Offer or deliver to a consumer, as a marketing promotion or for any other reason, free marijuana or marijuana product, including a sample

Offer or deliver to a consumer, as a marketing promotion or for any other reason, alcoholic beverages, free or for compensation

Allow a person to consume marijuana or a marijuana product on the licensed premises, except as provided in 3 AAC 306.305(a)(4)

Describe how you will ensure that the retail marijuana store will not sell, give, distribute, or deliver marijuana or marijuana product to a person who is under the influence of an alcoholic beverage, inhalant, or controlled substance:

Weed Dudes employees will be trained to recognize symptoms of alcohol influence as well as other substances. Customers will be asked if they have been drinking today, smoking today, etc. If yes, then they will be asked to come back at a later time. Policies and procedures will be laid out in the employee handbook.



Alaska Marijuana Control Board
Operating Plan Supplemental
Form MJ-03: Retail Marijuana Store

Alcohol and Marijuana Control Office
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Section 3 – On-site Consumption

Yes No

Do you plan to request approval of the board with your initial application to permit consumption of marijuana or marijuana product in a designated area on the proposed premises?

If "Yes", describe how you ensure that only marijuana or marijuana products that were purchased at your proposed premises are being consumed, per 3 AAC 306.305(a)(4):

Section 4 – Displays and Sales

Describe how marijuana and marijuana products at the retail marijuana store will be displayed and sold:

Marijuana products will be located in locked glass cases accessible by employees only. Customers may look at product under employee supervision. After customer has decided, product will be rung up, paid for, placed in secondary bag with receipt and customer will exit store.



Alaska Marijuana Control Board
**Operating Plan Supplemental
Form MJ-03: Retail Marijuana Store**

Alcohol and Marijuana Control Office
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Phone: 907.269.0350

Section 5 – Exit Packaging and Labeling

Review the requirements under 3 AAC 306.345, and identify how the proposed establishment will meet the listed requirements.

Describe how the retail marijuana store will ensure that marijuana and marijuana products sold on its licensed premises will meet the packaging and labeling requirements set forth in 3 AAC 306.345(a):

Weed Dudes plans on purchasing marijuana flowers in bulk from the growers and manufactured products from the manufacturers and package for individual sale on site in the workroom. The product will be packaged in opaque, resealable, child-proof packaging. In addition, Weed Dudes will attach proper labeling to individual units for resale. A commercial grade HEPA Filtration system will be used when packaging product and to control odor in the area. All packaging procedures will be in compliance with food safety handling procedures as laid out by the DEC.

Provide a sample label that the retail marijuana store will use to meet the labeling requirements under 3 AAC 306.645(b):

Labels will be created by Inventory Control/POS software, which will identify each individual unit for resale by a tracking bar code used in the marijuana inventory control system.

Label #1: Disclaimer label:

Marijuana has intoxicating effects and may be habit forming and addictive. Marijuana impairs concentration, coordination, and judgement. Do not operate a vehicle or machinery under its influence. There are health risks associated with the consumption of marijuana. For use by adults twenty-one and older. Marijuana should not be used by women who are pregnant or breast feeding.

Label #2: Product Description and Tracking

BAR CODE INSERTED HERE

Sold By: Weed Dudes, AK License #10220

IVANNA KUSH

Potency Analysis THC 0.3%, CBD 0.3%, THCA 32%, Total 28.6%

Useable Weight: 3.500grams
harvested 3/1/2016



Alaska Marijuana Control Board
Operating Plan Supplemental
Form MJ-03: Retail Marijuana Store

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Section 6 - Security

Identification Requirement to Prevent Sale to Person Under 21 (3 AAC 306.350):

Describe the retail marijuana store's procedures for ensuring a form of valid photographic identification has been produced before selling marijuana or marijuana product to a person, per 3 AAC 306.350(a):

Handwritten text: Customers will not be allowed into store unless they have presented a valid photo id showing they are over 21 years old. They must present a valid, unaltered passport or an unexpired driver's license, instruction permit or ID card from US or Canada. No ID, no entrance, no exceptions.

I declare under penalty of perjury that I have examined this form, including all accompanying schedules and statements, and to the best of my knowledge and belief find it to be true, correct, and complete.

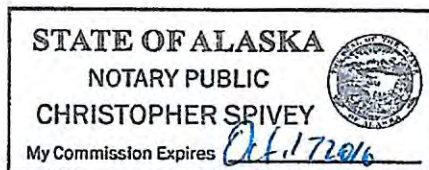
Handwritten signature of Anna Michelle Cleaver

Signature of licensee

Printed name: Anna Michelle Cleaver

Printed name

Subscribed and sworn to before me this 11th day of April, 2016.



Handwritten signature of Notary Public and for the State of Alaska.

My commission expires: Oct 17 2016



Alaska Marijuana Control Board
Operating Plan Supplemental
Form MJ-03: Retail Marijuana Store

Alcohol and Marijuana Control Office
550 W 7th Avenue, Suite 1600
Anchorage, AK 99501
marijuana.licensing@alaska.gov
<https://www.commerce.alaska.gov/web/amco>
Phone: 907.269.0350

(Additional Space as Needed):



Alaska Marijuana Control Board

Cover Sheet for Marijuana Establishment Applications

Alcohol & Marijuana Control Office
550 W 7th Avenue, Suite 1600
Anchorage, AK 99501
marijuana.licensing@alaska.gov
https://www.commerce.alaska.gov/web/amco
Phone: 907.269.0350

What is this form?

This cover sheet **must** be completed and submitted any time a document, payment, or other marijuana establishment application item is emailed, mailed, or hand-delivered to AMCO's main office.

Items that are submitted without this page will be returned in the manner in which they were received.

Section 1 – Establishment Information

Enter information for the business seeking to be licensed, as identified on the license application.

Licensee:	ANNA M CLEAVER	License Number:	10220		
License Type:	Retail Marijuana Store				
Doing Business As:	WEED DUDES				
Physical Address:	1321 Sawmill Creek Road, Suite #J				
City:	Sitka	State:	AK	Zip Code:	99835 - 9645
Designated Owner:	Anna Michelle Cleaver				
Email Address:	weeddudessitka@gmail.com				

Section 2 – Attached Items

List all documents, payments, and other items that are being submitted along with this page.

Attached Items:	<p>Alaska Marijuana Control Board Public Notice Posting Affidavit MJ-07</p> <p>to replace existing corrections complete</p>
-----------------	---

OFFICE USE ONLY

Received Date:		Payment Submitted Y/N:		Transaction #:	
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Alaska Marijuana Control Board

Form MJ-07: Public Notice Posting Affidavit

What is this form?

A public notice posting affidavit is required for all marijuana establishment license applications, per 3 AAC 306.020(b)(10). As soon as practical after initiating a new marijuana establishment license application, an applicant must give notice of the application to the public by posting a copy of the application (produced by the board's application website) for ten (10) days at the location of the proposed licensed premises and one other conspicuous location in the area of the proposed premises, per 3 AAC 306.025(b)(1).

This form must be completed and submitted to AMCO's main office before any license application will be considered complete.

Section 1 - Establishment Information

Enter information for the business seeking to be licensed, as identified on the license application.

Table with 6 rows and 4 columns: Licensee (Anna Michelle Cleaver), License Number (10220), License Type (Retail Marijuana Store), Doing Business As (Weed Dudes), Premises Address (1321 Sawmill Creek Road #J), City (Sitka), State (AK), ZIP (99835)

Section 2 - Certification

I certify that I have met the public notice requirement set forth under 3 AAC 306.025(b)(1) by posting a copy of my application for the following 10-day period at the location of the proposed licensed premises and at the following conspicuous location in the area of the proposed premises:

Start Date: March 21, 2016 End Date: April 5, 2016

Other conspicuous location: Sitka Post Office Bulletin Board 1207 SMC, Sitka, AK 99835

I declare under penalty of perjury that I have examined this form, including all accompanying schedules and statements, and to the best of my knowledge and belief find it to be true, correct, and complete.

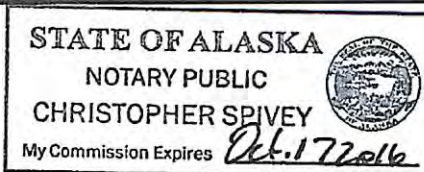
Signature of licensee: Anna Michelle Cleaver

Printed name of licensee: Anna Michelle Cleaver

Notary Public in and for the State of Alaska

My commission expires: Oct. 17 2016

Subscribed and sworn to before me this 26th day of July, 2016.





Alaska Marijuana Control Board

Cover Sheet for Marijuana Establishment Applications

Alcohol & Marijuana Control Office
550 W 7th Avenue, Suite 1600
Anchorage, AK 99501
marijuana.licensing@alaska.gov
https://www.commerce.alaska.gov/web/amco
Phone: 907.269.0350

What is this form?

This cover sheet **must** be completed and submitted any time a document, payment, or other marijuana establishment application item is emailed, mailed, or hand-delivered to AMCO's main office.

Items that are submitted without this page will be returned in the manner in which they were received.

Section 1 – Establishment Information

Enter information for the business seeking to be licensed, as identified on the license application.

Licensee:	ANNA M CLEAVER	License Number:	10220
License Type:	Retail Marijuana Store		
Doing Business As:	WEED DUDES		
Physical Address:	1321 Sawmill Creek Road, Suite #J		
City:	Sitka	State:	AK
		Zip Code:	99835 - 9645
Designated Owner:	Anna Michelle Cleaver		
Email Address:	weeddudessitka@gmail.com		

Section 2 – Attached Items

List all documents, payments, and other items that are being submitted along with this page.

Attached Items:	<p>Alaska Marijuana Control Board Form MS-08 Local Gov't Notice Affidavit</p> <p style="background-color: yellow; padding: 5px;">to replace existing corrections complete</p>
-----------------	---

OFFICE USE ONLY

Received Date:		Payment Submitted Y/N:		Transaction #:	
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Alaska Marijuana Control Board

Form MJ-08: Local Government Notice Affidavit

What is this form?

A local government notice affidavit is required for all marijuana establishment license applications with a proposed premises that is located within a local government, per 3 AAC 306.025(b)(3). As soon as practical after initiating a new marijuana establishment license application, an applicant must give notice of the application to the public by submitting a copy of the application to the local government and any community council in the area of the proposed licensed premises. For purposes of this notification, the document that must be submitted is the application document produced by the online application system titled "Public Notice".

This form must be completed and submitted to AMCO's main office before any license application will be considered complete.

Section 1 - Establishment Information

Enter information for the business seeking to be licensed, as identified on the license application.

Table with license information: Licensee: Anna Michelle Cleaver, License Number: 10220, License Type: Retail Marijuana Store, Doing Business As: Weed Dudes, Premises Address: 1321 Sawmill Creek Road #J, City: Sitka, State: AK, ZIP: 99835

Section 2 - Certification

I certify that I have met the local government notice requirement set forth under 3 AAC 306.025(b)(3) by submitting a copy of my application to the following local government official and community council (if applicable):

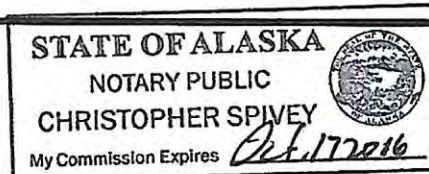
Local Government: City and Borough of Sitka, Name of Official: Sarah Peterson, Title of Official: City Clerk, Date Submitted: 3/23/16, Community Council: (Municipality of Anchorage and Matanuska-Susitna Borough only), Date Submitted:

I declare under penalty of perjury that I have examined this form, including all accompanying schedules and statements, and to the best of my knowledge and belief find it to be true, correct, and complete.

Signature of licensee: Anna Michelle Cleaver, Printed name of licensee: Anna Michelle Cleaver

Notary Public in and for the State of Alaska, My commission expires: Oct. 17 2016

Subscribed and sworn to before me this 26th day of July, 2016.





Public Notice

Application for Marijuana Establishment License

License Number: 10220

License Status: Initiated

License Type: Retail Marijuana Store

Doing Business As: WEED DUDES

Business License Number: 1032760

Email Address: weeddudessitka@gmail.com

Latitude, Longitude: 57.028890, -135.182940

Physical Address: 1321 Sawmill Creek Road
Suite #J
Sitka, AK 99835-9645
UNITED STATES

Owner #1

Note: No affiliates entered for this license.

Owner Type: Individual

Name: ANNA M CLEAVER

Date of Birth: 05/14/1962

Phone Number: 9077476168

Email Address: amsitka@gmail.com

Mailing Address: 100 Bahovec Court
Sitka, AK 99835-9645
UNITED STATES

Interested persons should submit written comment or objection to their local government, the applicant, and to the Alcohol & Marijuana Control Office at 550 W 7th Ave, Suite 1600, Anchorage, AK 99501 or to marijuana.licensing@alaska.gov not later than 30 days after this notice of application.

POSTING DATE March 21, 2016

RECEIVED

MAR 23 2016

City & Borough of Sitka
Clerk's Office

Received
SARA PETERSON



Alaska Marijuana Control Board

Cover Sheet for Marijuana Establishment Applications

Alcohol & Marijuana Control Office
550 W 7th Avenue, Suite 1600
Anchorage, AK 99501
marijuana.licensing@alaska.gov
https://www.commerce.alaska.gov/web/amco
Phone: 907.269.0350

What is this form?

This cover sheet **must** be completed and submitted any time a document, payment, or other marijuana establishment application item is emailed, mailed, or hand-delivered to AMCO's main office.

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Section 1 – Establishment Information

Enter information for the business seeking to be licensed, as identified on the license application.

Licensee:	ANNA M CLEAVER	License Number:	10220
License Type:	Retail Marijuana Store		
Doing Business As:	WEED DUDES		
Physical Address:	1321 Sawmill Creek Road, Suite #J		
City:	Sitka	State:	AK
		Zip Code:	99835 - 9645
Designated Owner:	Anna Michelle Cleaver		
Email Address:	weeddudessitka@gmail.com		

Section 2 – Attached Items

List all documents, payments, and other items that are being submitted along with this page.

Attached Items:	<p>Form MS-09 Statement of Financial Interest</p> <p style="background-color: yellow; padding: 5px; display: inline-block;">to replace existing corrections complete</p>
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Received Date:		Payment Submitted Y/N:		Transaction #:	
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Alaska Marijuana Control Board

Form MJ-09: Statement of Financial Interest

What is this form?

A statement of financial interest completed by each proposed licensee (as defined in 3 AAC 306.020(b)(2)) and affiliate (as defined in 3 AAC 306.990(a)(1)) is required for all marijuana establishment license applications, per 3 AAC 306.020(b)(4). A person other than a licensee may not have direct or indirect financial interest (as defined in 3 AAC 306.015(e)(1)) in the business for which a marijuana establishment license is issued, per 3 AAC 306.015(a).

This form must be completed and submitted to AMCO's main office by each proposed licensee or affiliate before any license application will be considered complete.

Section 1 – Establishment Information

Enter information for the business seeking to be licensed, as identified on the license application.

Licensee:	Anna Michelle Cleaver	License Number:	10220		
License Type:	Retail Marijuana Store				
Doing Business As:	Weed Dudes				
Premises Address:	1321 Sawmill Creek Road #J				
City:	Sitka	State:	AK	ZIP:	99835

Section 2 – Individual Information

Enter information for the individual licensee or affiliate.

Name:	Anna Michelle Cleaver				
Title:	owner				
SSN:	[REDACTED]				



Alcohol and Marijuana Control Office
550 W 7th Avenue, Suite 1600
Anchorage, AK 99501
marijuana.licensing@alaska.gov
<https://www.commerce.alaska.gov/web/amco>
Phone: 907.269.0350

Alaska Marijuana Control Board

Form MJ-09: Statement of Financial Interest

Section 3 – Certifications

I certify that no person other than a proposed licensee listed on my marijuana establishment license application has a direct or indirect financial interest, as defined in 3 AAC 306.015(e)(1), in the business for which a marijuana establishment license is being applied for.

I further certify that any ownership change shall be reported to the board as required under 3 AAC 306.040.

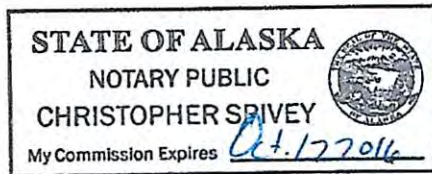
I declare under penalty of perjury that I have examined this form, including all accompanying schedules and statements, and to the best of my knowledge and belief find it to be true, correct, and complete.

Anna Michelle Cleaver

Signature of licensee/affiliate

Anna Michelle Cleaver

Subscribed and sworn to before me this 10th day of April, 2016.



[Handwritten Signature]

Notary Public in and for the State of Alaska.

My commission expires: 01-17-2016

Alcohol & Marijuana Control Office

License Number: 10220

License Status: New

License Type: Retail Marijuana Store

Doing Business As: WEED DUDES

Business License Number: 1032760

Designated Owner: Anna Michelle Cleaver

Email Address: weeddudessitka@gmail.com

Latitude, Longitude: 57.028890, -135.182940

Physical Address: 1321 Sawmill Creek Road
Suite #J
Sitka, AK 99835-9645
UNITED STATES

Owner #1

Note: No affiliates entered for this license.

Owner Type: Individual

Name: ANNA M CLEAVER

SSN: [REDACTED]

Date of Birth: 05/14/1962

Phone Number: 9077476168

Email Address: amtsitka@gmail.com

Mailing Address: 100 Bahovec Court
Sitka, AK 99835-9645
UNITED STATES



Alaska Marijuana Control Board

Cover Sheet for Marijuana Establishment Applications

Alcohol & Marijuana Control Office
550 W 7th Avenue, Suite 1600
Anchorage, AK 99501
marijuana.licensing@alaska.gov
https://www.commerce.alaska.gov/web/amco
Phone: 907.269.0350

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License Type:	Retail Marijuana Store				
Doing Business As:	WEED DUDES				
Physical Address:	1321 Sawmill Creek Road, Suite #J				
City:	Sitka	State:	AK	Zip Code:	99835 - 9645
Designated Owner:	Anna Michelle Cleaver				
Email Address:	weeddudessitka@gmail.com				

Section 2 – Attached Items

List all documents, payments, and other items that are being submitted along with this page.

Attached Items:	<p>Proof of Possession for Proposed Premises</p> <p style="background-color: yellow; padding: 5px; display: inline-block;">to replace existing corrections complete</p>
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OFFICE USE ONLY

Received Date:	Payment Submitted Y/N:	Transaction #:
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COMMERICAL LEASE AGREEMENT

EAGLE BAY INN LLC

1321 SAWMILL CREEK SUITE C

SITKA, ALASKA 99835

This lease is made this first day of March 2016 by and between Eagle Bay Inn LLC and Anna Michelle Cleaver, Weed Dudes. In consideration for the mutual promises and covenants contained herein, and for good and valuable consideration, the parties hereby agree as follows:

Eagle Bay Inn LLC leases to Anna Michelle Cleaver, Weed Dudes and Anna Michelle Cleaver, Weed Dudes rents from the landlord the following described premises: 1321 Sawmill Creek Road, Bay J of the Sitka Business Plaza.

The term of this lease shall be for 10 months commencing March 1, 2016 and ending January 01, 2017.

Anna Michelle Cleaver, Weed Dudes shall pay to Eagle Bay Inn LLC as rent \$14,000.00 in equal installments of \$1,200.00 these payments shall include sales tax.

This lease is subject to all present and future mortgages affecting the premises.

Anna Michelle Cleaver, Weed Dudes shall use and occupy the premises only as a business: this is subject at all times to the approval of Eagle Bay Inn LLC.

Anna Michelle Cleaver, Weed Dudes agrees at her own expense to furnish all utilities and heating expense.

Anna Michelle Cleaver, Weed Dudes shall purchase at her expense liability insurance in the amount of one million dollars, or have it in the business insurance policy, for the premises and shall provide a copy to the landlord, Eagle Bay Inn LLC.

Anna Michelle Cleaver, Weed Dudes shall be responsible for the snow and ice removal at the back and front of the business entrance. Snow removal of the parking lot shall be provided by Eagle Bay Inn LLC. During heavy snow, the tenant will comply with all parking and removing vehicles as needed.

Anna Michelle Cleaver, Weed Dudes shall comply with all rules and regulations, ordinances codes and laws of all Eagle Bay Inn LLC members.

Anna Michelle Cleaver, Weed Dudes agrees that she will not permit or engage in any activity that will affect an increase in the rate of insurance for the building or commit any nuisance thereon.

At the end of this 10 month lease Anna Michelle Cleaver, Weed Dudes shall have the right to renew or to surrender and deliver the premise in the same condition (subject to any additions, alterations, or improvements, if any) as presently exists, reasonable wear and tear excluded.

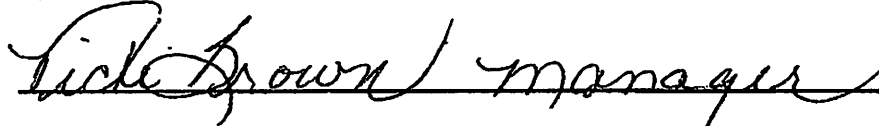
Upon default in any term or condition of this lease, Eagle Bay Inn LLC shall have the right to undertake any or all other remedies permitted by law.

This lease shall be binding upon and insure the benefit of the parties, their heirs, successors, and assigns.

Signed this 1st day of March 2016



Anna Michelle Cleaver



Vicki Brown

Manager

Representing Jo Ann Daly owner Sawmill Creek Business Plaza

Eagle Bay Inn LLC

1321 Sawmill Creek Road

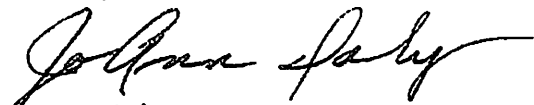
Sitka, Alaska 99835

December 2, 2013

To Whom It May Concern

Vicki Brown is hereby authorized and empowered by Eagle Bay Inn LLC to pursue any and all litigation which concerns Eagle Bay Inn and Sawmill Creek Business Center.

Thank you,

A handwritten signature in black ink, appearing to read "Jo Ann Daly". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Jo Ann Daly

Managing Member

504-434-8154



Alaska Marijuana Control Board

Cover Sheet for Marijuana Establishment Applications

Alcohol & Marijuana Control Office
550 W 7th Avenue, Suite 1600
Anchorage, AK 99501
marijuana.licensing@alaska.gov
<https://www.commerce.alaska.gov/web/amco>
Phone: 907.269.0350

What is this form?

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Section 1 – Establishment Information

Enter information for the business seeking to be licensed, as identified on the license application.

Licensee:	ANNA M CLEAVER	License Number:	10220		
License Type:	Retail Marijuana Store				
Doing Business As:	WEED DUDES				
Physical Address:	1321 Sawmill Creek Road, Suite #J				
City:	Sitka	State:	AK	Zip Code:	99835 - 9645
Designated Owner:	Anna Michelle Cleaver				
Email Address:	weeddudessitka@gmail.com				

Section 2 – Attached Items

List all documents, payments, and other items that are being submitted along with this page.

Attached Items:	Publisher's Affidavit
-----------------	-----------------------

OFFICE USE ONLY

Received Date:	Payment Submitted Y/N:	Transaction #:
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Affidavit of Publication

STATE OF ALASKA
FIRST JUDICIAL DISTRICT) ss.
AT SITKA, ALASKA

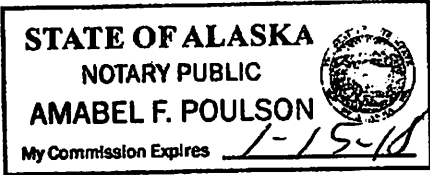
Travis Smith, being first sworn, says she or he
is the publisher, managing editor or business manager of the DAILY SITKA
SENTINEL, a newspaper printed and published in Sitka, Alaska, and le-
gally qualified as a medium of official and legal publications, and that the
Legal Notice a copy of
which is hereto annexed, was published in the Daily Sitka Sentinel on:

7/18, _____, _____,
_____, _____, _____,
_____, _____, _____,
_____, _____, _____,
_____, _____, _____,

Signature [Signature]

Sworn and subscribed to
before me this 25 day of July, 2016

Notary Public for Alaska [Signature]
My commission expires _____, 20____



LEGAL NOTICE
ANNA MICHELLE CLEAVER is applying for a new Retail Mar-
ijuana Store License 3 AAC 306.300, doing business as WEED
DUDES located at 1321 Sawmill Creek Road, Suite J, Sitka, AK,
99835-9645, UNITED STATES.
Interested persons should submit written comment or objection
to their local government, the applicant, and to the Alcohol &
Marijuana Control Office at 550 W 7th Ave, Suite 1600, Anchor-
age, AK 99501 or to marijuana.licensing@alaska.gov not later
than 30 days after this notice of application.
Published: July 18, 2016



Alaska Marijuana Control Board

Cover Sheet for Marijuana Establishment Applications

Alcohol & Marijuana Control Office
550 W 7th Avenue, Suite 1800
Anchorage, AK 99501
marijuana.licensing@alaska.gov
https://www.commerce.alaska.gov/web/amco
Phone: 907.265.0350

What is this form?

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Section 1 – Establishment Information

Enter information for the business seeking to be licensed, as identified on the license application.

Licensee:	ANNA M CLEAVER	License Number:	10220		
License Type:	Retail Marijuana Store				
Doing Business As:	WEED DUDES				
Physical Address:	1321 Sawmill Creek Road, Suite #J				
City:	Sitka	State:	AK	Zip Code:	99835 - 9645
Designated Owner:	Anna Michelle Cleaver				
Email Address:	weeddudessitka@gmail.com				

Section 2 – Attached Items

List all documents, payments, and other items that are being submitted along with this page.

Attached Items:	<p style="font-size: 2em;">Publisher's Affidavit</p>
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OFFICE USE ONLY

Received Date:	Payment Submitted Y/N:	Transaction #:
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Affidavit of Publication

STATE OF ALASKA
FIRST JUDICIAL DISTRICT) ss.
AT SITKA, ALASKA

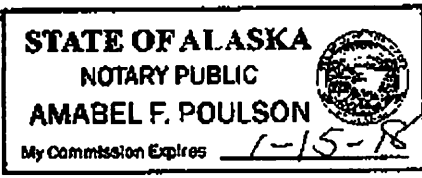
Travis Smith, being first sworn, says she or he
is the publisher, managing editor or business manager of the DAILY SITKA
SENTINEL, a newspaper printed and published in Sitka, Alaska, and le-
gally qualified as a medium of official and legal publications, and that the
Legal Notice a copy of

which is hereto annexed, was published in the Daily Sitka Sentinel on:

3/23 . 3/30 . 4/6 .
_____. _____ . _____ .
_____. _____ . _____ .
_____. _____ . _____ .

Signature [Signature]
Sworn and subscribed to
before me this 15 day of April, 2016

Notary Public for Alaska [Signature]
My commission expires _____, 20____



LEGAL NOTICE
ANNA MICHELLE CLEAVER is applying for a new Retail
Marijuana Store License 3 AAC 306.300, doing business as
WEED DUDES LLC located at 1321 Sawmill Creek Road, Suite
J, Sitka, AK, 99835-9645, UNITED STATES.
Interested persons should submit written comment or objection
to their local government, the applicant, and to the Alcohol &
Marijuana Control Office at 550 W 7th Ave, Suite 1600, Anchor-
age, AK 99501 or to marijuana.licensing@alaska.gov not later
than 30 days after this notice of application.
Published: March 23, March 30, April 6, 2016



CITY AND BOROUGH OF SITKA

Legislation Details

File #: ORD 16-27S Version: 1 Name:
Type: Ordinance Status: AGENDA READY
File created: 8/2/2016 In control: City and Borough Assembly
On agenda: 8/23/2016 Final action:
Title: Adjusting the FY17 Budget (Float Plane Dock Funding - substitute ordinance first reading)
Sponsors:
Indexes:
Code sections:
Attachments: [Motion Ord 2016-27S.pdf](#)
[Ord 2016-27S.pdf](#)

Date	Ver.	Action By	Action	Result
8/9/2016	1	City and Borough Assembly		

POSSIBLE MOTION

I MOVE TO approve Ordinance 2016-27S on
first reading.

CITY AND BOROUGH OF SITKA

ORDINANCE NO. 2016-27S

AN ORDINANCE OF THE CITY AND BOROUGH OF SITKA
ADJUSTING THE FY17 BUDGET (FLOAT PLANE DOCK FUNDING)

BE IT ENACTED by the Assembly of the City and Borough of Sitka, Alaska as follows:

- 1. **CLASSIFICATION.** This ordinance is not of a permanent nature and is not intended to be a part of the Sitka General Code of the City and Borough of Sitka, Alaska.
- 2. **SEVERABILITY.** If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and application thereof to any person and circumstances shall not be affected thereby.
- 3. **PURPOSE.** The purpose of this ordinance is to adjust the FY17 budgets for known changes.
- 4. **ENACTMENT.** The Assembly of the City and Borough of Sitka hereby adjusts the FY17 budget for known changes. In accordance with Section 11.10(a) of the Charter of the City and Borough of Sitka, Alaska, the budget for the fiscal period beginning July 1, 2016 and ending June 30, 2017 is hereby adjusted as follows:

<u>FISCAL YEAR 2017 EXPENDITURE BUDGETS</u>
<u>CAPITAL PROJECTS</u>
This is an FY2017 supplemental budget ordinance. The Assembly hereby appropriates \$170,000 from the Southeast Alaska Economic Development Fund to be transferred to the Harbor Fund.
Explanation –
Harbor Department: At the May 31st Assembly meeting an Ordinance was approved to appropriate \$170,000 from the Harbor Department undesignated working capital for the Float Plane Dock Repairs. At the same meeting, the Assembly conceptually approved the transfer of funding from the Southeast Alaska Economic Development Fund to the Harbor Fund to reimburse it for the cost of the dock repairs. This Ordinance formalizes the appropriation necessary to accomplish the reimbursement.

EXPLANATION

Necessary revisions in the FY 2017 budget were identified. These changes involve the increase of expenditure accounts and causes decreased cash flows to the fund balance of various funds. A short explanation of each budget revision is included.

- 5. **EFFECTIVE DATE.** This ordinance shall become effective on the day after the date of its passage.

PASSED, APPROVED, AND ADOPTED by the Assembly of the City and Borough of Sitka, Alaska this 13th day of September, 2016.

Mim McConnell, Mayor

ATTEST:

Sara Peterson, CMC
Municipal Clerk

Absent: 2 - Hunter, and Eisenbeisz

Sweeney indicated that staff was not equipped to handle judgment calls on eligibility and spoke to the difficulty of personnel time. Clyde Bright wondered what the cost would be to administer it. Guevin stated the amendment would leave options open to contracting it out or not and stated that line 136 would also need to change.

A motion was made by Potrzuski that this Ordinance be AMENDED deleting lines 128 to 131. The motion PASSED by the following vote.

Yes: 5 - McConnell, Swanson, Miyasato, Guevin, and Potrzuski

Absent: 2 - Hunter, and Eisenbeisz

F **ORD 16-19**

Amending Sitka General Code Title 19 "Building and Construction" by amending Chapter 19.01 "Building Code" by adding a new Section 19.01.105 entitled, "The International Building Code Chapter 18 Amended" (*first reading*)

Miyasato questioned if this was a part of the community mapping. Acting Municipal Administrator Michael Harmon stated the city mapping would move forward as a separate element, that this was similar to flood mapping, and was not currently in code. Potrzuski clarified that this would be an expense to the applicant. Harmon told of cost to the developer and their due diligence. Swanson asked the cost of the applicant to have property reviewed. Harmon stated a range of \$5,000 to \$15,000 or more with a major development. Harmon told that risk mapping was in place for the Gary Paxton Industrial Park.

A motion was made by Miyasato that this Ordinance be PASSED ON FIRST READING. The motion PASSED by the following vote.

Yes: 5 - McConnell, Swanson, Miyasato, Guevin, and Potrzuski

Absent: 2 - Hunter, and Eisenbeisz

G **ORD 16-17**

Adjusting the FY16 Budget (*disaster declaration work/PERS funding*)

A motion was made by Swanson that this Ordinance be PASSED ON FIRST READING. The motion PASSED by the following vote.

Yes: 5 - McConnell, Swanson, Miyasato, Guevin, and Potrzuski

Absent: 2 - Hunter, and Eisenbeisz

H **ORD 16-18**

Adjusting the FY16 Budget (*second reading - Sitka Seaplane Base repairs*)

Kevin Knox, Chair of Port and Harbors Commission told of support from the Commission, SouthEast Alaska Aviation Association, and the public. He spoke of replacing the base as it was and brought up the Southeast Economic Development fund since he felt this was an economic driver of the community. Dave Gordon, a seaplane owner was in support of replacing the current structure. Mayor McConnell and Acting Municipal Administrator Michael Harmon told of this community need.

A motion was made by Swanson that this Ordinance be PASSED ON FIRST READING. The motion PASSED by the following vote.

Yes: 5 - McConnell, Swanson, Miyasato, Guevin, and Potrzuski

Absent: 2 - Hunter, and Eisenbeisz

XIII. PERSONS TO BE HEARD:

Clyde Bright encouraged the Assembly to release public land for affordable housing.

XIV. EXECUTIVE SESSION

I 16-091 Legal matter - Baranof Island Brewing Company loans

A motion was made by Potrzuski to go into Executive Session with the Acting Municipal Attorney to discuss a legal matter affecting the municipality and the Baranof Island Brewing Company loans and invite in Chief Finance and Administrative Officer, Jay Sweeney.

Yes: 5 - McConnell, Swanson, Miyasato, Guevin, and Potrzuski

Absent: 2 - Hunter, and Eisenbeisz

The Assembly met in executive session for 45 minutes regarding two Southeast Alaska Economic Development loans to Baranof Island Brewing Company. Chief Finance and Administrative Officer Jay Sweeney briefed the Assembly on the status of the two loans.

A motion was made by Miyasato to RECONVENE as the Assembly in regular session. The motion passed by an unanimous voice vote.

XV. ADJOURNMENT

A motion was made by Miyasato to ADJOURN. Hearing no objections, the meeting ADJOURNED at 7:46pm.

ATTEST: _____
Melissa Henshaw
Acting Municipal Clerk



CITY AND BOROUGH OF SITKA

ASSEMBLY CHAMBERS
1332 Seward Ave.
Room 229
Sitka, AK
(907)747-1811

Minutes - Final

City and Borough Assembly

Mayor Mim McConnell
Deputy Mayor Matt Hunter
Vice-Deputy Mayor Benjamin Miyasato
Aaron Swanson, Steven Eisenbeisz
Tristan Guevin, and Bob Potrzuski

Municipal Administrator: Mark Gorman
Acting Municipal Attorney: Brian Hanson

Tuesday, May 31, 2016

6:00 PM

Assembly Chambers

Meeting to be held at the Sealing Cove Business Center 601 Alice Loop

SPECIAL MEETING

I. CALL TO ORDER

II. FLAG SALUTE

III. ROLL CALL

Present: 4 - McConnell, Swanson, Miyasato, and Guevin

Absent: 3 - Hunter, Eisenbeisz, and Potrzuski

IV. CORRESPONDENCE/AGENDA CHANGES

None.

V. PERSONS TO BE HEARD

None.

VI. UNFINISHED BUSINESS:

A ORD 16-18

Adjusting the FY16 Budget (*second reading - Sitka Seaplane Base repairs*)

Administrator Mark Gorman pointed out in the accompanying document to the Ordinance, that it was suggested the Assembly consider providing a grant to the Harbor Enterprise Fund from the Southeast Alaska Economic Development Fund to pay for the float plane dock repairs. Assembly members agreed with this approach. Gorman stated staff would prepare an ordinance for a future meeting to appropriate money from the Southeast Alaska Economic Development Fund for transfer to the Harbor Fund.

A motion was made by Swanson that this Ordinance be APPROVED on SECOND AND FINAL READING. The motion PASSED by the following vote.

Yes: 4 - McConnell, Swanson, Miyasato, and Guevin

Absent: 3 - Hunter, Eisenbeisz, and Potrzuski

VII. NEW BUSINESS:

B ORD 16-20 Adopting budgets for Fiscal Year July 1, 2016 through June 30, 2017

Assembly members spoke favorably of the FY2017 budget process and thanked staff for their work. Gorman stated that while the FY2017 budget had been unusually challenging, ultimately a balanced budget had been presented.

A motion was made by Swanson that this Ordinance be APPROVED on FIRST READING. The motion PASSED by the following vote.

Yes: 4 - McConnell, Swanson, Miyasato, and Guevin

Absent: 3 - Hunter, Eisenbeisz, and Potrzuski

VIII. PERSONS TO BE HEARD:

None.

IX. EXECUTIVE SESSION

None.

X. ADJOURNMENT

A motion was made by Miyasato to ADJOURN. Hearing no objections, the meeting ADJOURNED at 6:07pm.

ATTEST: _____

Sara Peterson, CMC
Municipal Clerk



CITY AND BOROUGH OF SITKA

Legislation Details

File #: 16-155 Version: 1 Name:

Type: Item Status: AGENDA READY

File created: 8/17/2016 In control: City and Borough Assembly

On agenda: 8/23/2016 Final action:

Title: Discussion of FY18 General Fund budget revenue considerations including agenda items ORD 16-30 and ORD 16-31

Sponsors:

Indexes:

Code sections:

Attachments: [FY18 General Fund budget considerations.pdf](#)

Date	Ver.	Action By	Action	Result
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**Discussion of FY18 General Fund
budget considerations including agenda
items ORD 16-30 and ORD 16-31**



FY18 GENERAL FUND BUDGET DECISION POINTS	KEEPING THE WHEELS ON THE BUS, TIRES PARTIALLY INFLATED	CITIZENS' TASKFORCE RECOMMENDATIONS (in green shaded area)
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FUNDS REQUIRED TO BALANCE THE GENERAL FUND in FY2018		
Expected Reduction in General Fund Revenues from FY2017	-\$2,500,000	-\$2,500,000
Millage Rate Increase (2 Mills)	\$0	\$2,192,000
Loss of Sales Tax Revenue on Groceries	\$0	-\$1,200,000
Additional Reduction in Expenditures From FY2017	\$0	\$500,000
Additional Reduction in School Support Expenditures From FY2017	\$0	\$200,000
Maintain Public Works Capital Projects Budget at \$1.5M (FY17 Level)	\$0	\$0
Increase Public Works Capital Projects Budget to \$2.25M	\$0	-\$750,000
Subsidy to Electric Department	\$0	-\$1,500,000
Homestead Exemption	<u>\$0</u>	<u>\$0</u>
Funds Required to Balance the FY18 Budget	-\$2,500,000	-\$3,058,000



The Challenge....but do-able

POTENTIAL REVENUE SOURCES	
Millage Increase(per Mil) requires citizen vote	\$1,096,000
Maintain year round 6% sales tax requires citizen vote	\$667,000
Excise Tax on Bulk Fuel	\$1,200,000
Vehicle Registration Fee	\$450,000
Increase Sales Tax Cap to 10K	\$200,000 to \$400,000
Eliminate Senior Sales Tax Exemption	\$500,000
Eliminate Non Profit Sales Tax Exemption	\$100,000 to \$200,000



CITY AND BOROUGH OF SITKA

Legislation Details

File #: ORD 16-30 Version: 1 Name:
Type: Ordinance Status: AGENDA READY
File created: 8/17/2016 In control: City and Borough Assembly
On agenda: 8/23/2016 Final action:
Title: Amending Sitka General Code Chapter 4.09 "Sales Tax" Section 4.09.100 "Exemptions" by including an exemption for sales tax on groceries and amending Section 4.09.420 "Definitions" by adding a definition for groceries (first reading)

Sponsors:

Indexes:

Code sections:

Attachments: [Motion Ord 2016-30.pdf](#)
[Ord 2016-30.pdf](#)

Date	Ver.	Action By	Action	Result
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POSSIBLE MOTION

I MOVE TO approve Ordinance 2016-30 on
first reading.

CITY AND BOROUGH OF SITKA
ORDINANCE NO. 2016-30

AN ORDINANCE OF THE CITY AND BOROUGH OF SITKA AMENDING SITKA GENERAL
CODE CHAPTER 4.09 "SALES TAX" SECTION 4.09.100 "EXEMPTIONS" BY INCLUDING
AN EXEMPTION FOR SALES TAX ON GROCERIES AND AMENDING SECTION 4.09.420
"DEFINITIONS" BY ADDING A DEFINITION FOR GROCERIES

- 1. **CLASSIFICATION.** This ordinance is of a permanent nature and is intended to be a part of the Sitka General Code of the City and Borough of Sitka, Alaska.
- 2. **SEVERABILITY.** If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and application thereof to any person and circumstances shall not be affected thereby.
- 3. **PURPOSE.** The purpose of this ordinance is to add sales tax on groceries to the list of sales types that are exempt from taxation. This exemption would become effective July 1, 2017 but only if the amendment to the Charter set forth in Ordinance 2016-26 is approved by voters at the regular election held on October 4, 2016.
- 4. **ENACTMENT.** NOW, THEREFORE, BE IT ENACTED by the Assembly of the City and Borough of Sitka that Sitka General Code Chapter 4.04.100 is amended by adding a sales tax exemption for groceries and amending Section 4.09.420 to add a definition for (new language underlined; deleted language stricken):

**Chapter 4.09
Sales Tax**

* * *

4.09.100 Exemptions

* * *

R. ~~Reserved.~~ Sale of groceries, as defined elsewhere within this Chapter, are exempt.

* * *

4.09.420 Definitions.

In this chapter:

A. "Consideration" means a valuable inducement and includes, without limitation, money, property, and services;

B. "Engaging in business" means carrying on or causing to be carried on any activity with the purpose of direct or indirect benefit;

43 C. "Groceries" means breads, cereals, fruits, vegetables, meats, fish, poultry and dairy
44 products as well as those foods and items that have been determined to be eligible for
45 the USDA Supplemental Nutrition Assistance Program (SNAP) benefits. Groceries
46 does not include beer, wine, liquor, cigarettes, tobacco products, any nonfood items
47 such as pet foods, soaps, paper products, household supplies, vitamins and medicines,
48 foods that will be eaten in the store and hot foods.

49

50 CD. "Lease," "leasing," or "rental," regardless of whether a transaction is characterized
51 as a lease or rental under generally accepted accounting principles, 26 U.S.C. (Internal
52 Revenue Code), AS 45.01 through AS 45.08, AS 45.12, AS 45.14, and AS 45.29
53 (Uniform Commercial Code), or other provisions of federal, state, or local law:

54 1. Means a transfer of possession or control of tangible personal property of a
55 fixed or indeterminate term for consideration; a lease or rental may include future
56 options to purchase or extend;

57 2. Does not include:

58 a. A transfer of possession or control of property under a security
59 agreement or deferred payment plan that requires the transfer of title upon
60 completion of the required payments;

61 b. A transfer of possession or control of property under an agreement
62 that requires the transfer of title upon completion of required payments if
63 payment of an option price does not exceed the greater of one hundred
64 dollars or one percent of the total required payments; or

65 c. Providing tangible personal property along with an operator for a fixed
66 or indeterminate period of time; a condition of this exclusion is that the
67 operator is necessary for the equipment to perform as designed; for the
68 purpose of this subsection, an operator must do more than maintain,
69 inspect, or set up the tangible personal property;

70 3. Includes agreements covering motor vehicles and trailers if the amount of
71 consideration may be increased or decreased by reference to the amount
72 realized upon sale or disposition of the property as defined in 26 U.S.C.
73 7701(h)(1);

74 DE. "Maintaining an office or other place of business" means:

75 1. A person's having or maintaining in the city and borough of Sitka, directly or
76 by an affiliate, an office, distribution house, sales house, warehouse, or place of
77 business; or

78 2. An agent's operating within the city and borough of Sitka under the authority
79 of the person or its affiliate, whether the place of business or agent is located in
80 the city and borough of Sitka permanently or temporarily or whether the person
81 or affiliate is authorized to do business in the city and borough of Sitka;

82 EE. "Manufacturing" means combining or processing components or materials,
83 including the processing of ores in a mill, smelter, refinery, or reduction facility, to
84 increase the value of the components or materials for sale in the ordinary course of
85 business; "manufacturing" does not include construction;

86 EG. "Person" means an individual, estate, trust, receiver, cooperative association,
87 club, corporation, company, firm, partnership, joint venture, syndicate, or other entity,
88 including a gas, water, or electric utility owned or operated by a borough, municipality,
89 or other political subdivision of the state;

90 EH. "Purchase price" means "sales price" and applies to the measure subject to sales
91 tax;

92 HJ. Residential Rent. Rent paid for residential housing for thirty or more consecutive
93 days or an entire calendar month by a person or persons for a room, set of rooms,
94 structure, or suite is exempt from sales taxes. This exemption does not apply to any
95 transaction taxable under Chapter 4.24 regarding the hotel, motel, and bed and
96 breakfast transient room tax;

97 IJ. "Sale," "selling," or "purchasing" means the transfer of property for consideration or
98 the performance of a service for consideration;

99 JK. "Sales price":

100 1. Means the total amount of consideration, including cash, credit, property,
101 and services, for which personal property or services are sold, leased, or rented,
102 valued in money, whether received in money or otherwise, without any deduction
103 for the following:

104 a. The seller's cost of the property sold;

105 b. The cost of materials used, labor or service cost, interest, losses, all
106 costs of transportation to the seller, all taxes imposed on the seller, and
107 any other expense of the seller;

- 108 c. Charges by the seller for any services necessary to complete the sale,
109 other than delivery and installation charges;
- 110 d. Delivery charges;
- 111 e. Installation charges;
- 112 f. The value of exempt personal property given to the purchaser where
113 taxable and exempt personal property have been bundled together and
114 sold by the seller as a single product or piece of merchandise;
- 115 g. Credit for a trade-in, as determined by state law;
- 116 2. Does not include:
- 117 a. Discounts, including cash, term, or coupons that are not reimbursed
118 by a third party that are allowed by a seller and taken by a purchaser on a
119 sale;
- 120 b. Interest, financing, and carrying charges from credit extended on the
121 sale of personal property or services if the amount is separately stated on
122 the invoice, bill of sale, or similar document given to the purchaser;
- 123 ~~K~~L. "Sales tax" means the applicable tax imposed by Section 4.09.010;
- 124 ~~L~~M. "Service" means an activity that is engaged in for another person for
125 consideration and that is distinguished from the sale or lease of property; in determining
126 what a service is, the intended use, principal objective, or ultimate objective of the
127 contracting parties is irrelevant; "service" includes:
- 128 1. Activities performed by a person for its members or shareholders;
- 129 2. Construction activities and all tangible personal property that will become an
130 ingredient or component part of a construction project; and
- 131 3. Labor; professional services; transportation; telephone or other
132 communications service; entertainment, including cable, subscription, or pay
133 television or other telecommunications service; the supplying of food, lodging, or
134 other accommodations in hotels, restaurants, or elsewhere; admission to
135 exhibitions; the use of a computer, computer time, a computer system, a
136 computer program, a computer network, or any part of a computer system or
137 network; and the supplying of equipment for use;

138 4. Travel and adventure services means tours and charters on land and water,
139 guide services, admissions, lectures, transportation services (excluding air
140 transportation), and the rental of lodging, aircraft, vehicles, watercraft, and
141 equipment, including fishing, boating, camping and other tour or adventure
142 related goods. Travel and adventure services also include sales of goods
143 incidental or related to such services.

144 MN. "Tangible personal property" means personal property that can be seen,
145 weighed, measured, felt, or touched, or that is in any other manner perceptible to the
146 senses; "tangible personal property" includes electricity, water, gas, steam, and
147 prewritten computer software;

148 NO. "Tax" means the tax levied by Section 4.09.010.

149 * * *

150 5. **EFFECTIVE DATE.** Ordinance 2016-30 shall become effective on July 1, 2017 but only
151 if the amendment to the Charter set forth in Ordinance 2016-26 is approved by voters at the
152 regular election held on October 4, 2016.

153
154 **PASSED, APPROVED, AND ADOPTED** by the Assembly of the City and Borough of Sitka,
155 Alaska this 13th day of September, 2016.

156

157

158

159

Mim McConnell, Mayor

160 ATTEST:

161

162

163 _____
Sara Peterson, CMC

164 Municipal Clerk



CITY AND BOROUGH OF SITKA

Legislation Details

File #: ORD 16-31 Version: 1 Name:

Type: Ordinance Status: AGENDA READY

File created: 8/17/2016 In control: City and Borough Assembly

On agenda: 8/23/2016 Final action:

Title: Amending Sitka General Code Chapter 4.12 "Property Tax" by adding a new Section 4.12.430 titled "Mill rate proceeds transfer to electric rate stabilization fund" (first reading)

Sponsors:

Indexes:

Code sections:

Attachments: [Motion Ord 2016-31.pdf](#)
[Ord 2016-31.pdf](#)

Date	Ver.	Action By	Action	Result
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POSSIBLE MOTION

I MOVE TO approve Ordinance 2016-31 on
first reading.

CITY AND BOROUGH OF SITKA
ORDINANCE NO. 2016-31

AN ORDINANCE OF THE CITY AND BOROUGH OF SITKA AMENDING SITKA GENERAL
CODE CHAPTER 4.12 "PROPERTY TAX" BY ADDING A NEW SECTION 4.12.430 TITLED
"MILL RATE PROCEEDS TRANSFER TO ELECTRIC RATE STABILIZATION FUND"

- 1. **CLASSIFICATION.** This ordinance is of a permanent nature and is intended to be a part of the Sitka General Code of the City and Borough of Sitka, Alaska.
- 2. **SEVERABILITY.** If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and application thereof to any person and circumstances shall not be affected thereby.
- 3. **PURPOSE.** The purpose of this ordinance is to clarify in code the process by which proceeds from a mill rate increase can be transferred to the electric rate stabilization fund with the intent to eliminate or at least minimize electric rate increases. This Ordinance would become effective on July 1, 2017 but only if the amendment to the Charter set forth in Ordinance 2016-26 is approved by voters at the regular election held on October 4, 2016.
- 4. **ENACTMENT.** NOW, THEREFORE, BE IT ENACTED by the Assembly of the City and Borough of Sitka that the Sitka General Code 4.12.430 is amended by adding a new section titled "Mill rate proceeds transfer to electric rate stabilization fund" (new language underlined; deleted language stricken):

**Chapter 4.12
PROPERTY TAX**

Sections:

* * *

4.12.430 Mill rate proceeds transfer to electric rate stabilization fund.

* * *

4.12.430 Mill rate proceeds transfer to electric rate stabilization fund

Property tax proceeds of up to one (1) Mill of the assessed value of real property shall be transferred annually from the general fund to the electric rate stabilization fund in order to achieve minimum rate covenants as specified by applicable electric revenue bond ordinances. If electric user fees are either sufficient or partially sufficient to meet minimum rate covenants then only that portion of property tax proceeds of up to one (1) Mill of the assessed value of real property shall be transferred. Any such transfer of property tax proceeds must be accomplished by ordinance either through adoption of the annual budget or supplemental budget ordinance.

* * *

50 5. **EFFECTIVE DATE.** Ordinance 2016-31 shall become effective on July 1, 2017 but only
51 if the amendment to the Charter set forth in Ordinance 2016-26 is approved by voters at the
52 regular election held on October 4, 2016.

53
54 **PASSED, APPROVED, AND ADOPTED** by the Assembly of the City and Borough of Sitka,
55 Alaska this 13th day of September, 2016.

56
57
58 _____
59 Mim McConnell, Mayor

60 ATTEST:
61 _____
62 Sara Peterson, CMC
63 Municipal Clerk